

**Regular City Council Meeting
June 6, 2017
Council Chambers
7:00 PM**

COUNCILORS PRESENT

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

OTHERS PRESENT

Daniel Fitzpatrick, City Manager
Blaine Cox, Deputy City Manager
Mark Sullivan, Senior Accountant
Roland Connors, Deputy Finance
Director
Terence O'Rourke, City Attorney
John Storer, Director of City Services
Members of the Trustees of the Trust
Fund
John Marzinzik, President and CEO of
Frisbie Memorial Hospital
Sarah Bailey, Communications
Department

Minutes

1. Call to Order

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

**2. Presentation of the Colors/Proclamation: Rochester Elks
Lodge # 1393**

2.1. Pledge of Allegiance

Mayor McCarley led the Pledge of Allegiance.

2.2. Proclamation: Flag Day

Prior to reading the Proclamation for Flag Day, Mayor McCarley recalled that June 6th is the day to recall the Battle of Normandy.

Mayor McCarley read the Proclamation for Flag Day and declared June 14, 2017, as National Flag Day and the week which follows as

Flag Week in the City of Rochester.

Mr. Ducharme introduced Robert Benoit, Esteemed Leading Knight, and James Clark Esteemed Loyal Knight. Mr. Ducharme invited the City Council to attend the Flag Day Ceremony at the Rochester Elks Lodge on Sunday, June 18, 2017, at 3:00 PM.

3. Opening Prayer

3.1. Opening Prayer: Tom Ducharme, Past Exalted Ruler

Mr. Ducharme led the Opening Prayer.

4. Roll Call

Kelly Walters, City Clerk, took the roll call. All City Council members were present.

5. Acceptance of Minutes

5.1. Regular City Council Meeting: May 2, 2017 *consideration for approval*

Councilor Lachapelle **MOVED** to **APPROVE** the May 2, 2017, Regular City Council Meeting minutes. Councilor Bogan seconded the motion. Councilor Lauterborn **MOVED** to **AMEND** the minutes by correcting Page 22 to change the reading of the resolution to "second" instead of "first" which had been written incorrectly in the minutes. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley called for the motion to approve as amended. The **MOTION CARRIED** by a unanimous voice vote.

6. Communications from the City Manager

6.1. Employee of the Month Award

City Manager Fitzpatrick invited Sarah Bailey, Communications, to come forward. He congratulated Ms. Bailey and presented her with the Employee of the Month Award for May.

6.2. City Manager's Report

City Manager Fitzpatrick gave the following report:

Contracts and documents executed since last month:

- **Department of Public Works**
 - Adopt-Spots Listing – 2017
 - Clean Water Sewer & Storm Water Asset Management – Loan Agreement
 - Colonial Pines Project – Easements
 - NPDES Stormwater Annual Report
 - Salmon Falls Road Improvement Project – Change Order #1
 - Sterling Drive – Lease Agreement – flag pole install
 - Wakefield Street – Authorization of Amendment to Engineering Services
- **Economic & Community Development**
 - Moose Plate Grant Application
 - Release of Mortgage – Publick House
 - Stanhope Contract – Marketplace Blvd/Rt. 11 frontage road Appraisal
 - White Birch – Job Loan Collateral Assignment Paperwork
 - White Birch Job Loan – Environmental Review
 - VOCA (Victims of Crime Act) Grant Award Acceptance
- **Finance Department**
 - Professional Services Agreement – IT Study
- **Planning Department**
 - Letter of Understanding – Gauthier Farm
- **Recreation Department**
 - Push Volleyball, Inc – Memorandum of Understanding

The following Computer Lease/Tuition Reimbursement requests have been approved:

- Tuition Reimbursement – Rodgerson, S
- Tuition Reimbursement – Swanberry, A

The following additional information has been received:

- Barrington Planning Board - Public Notice
- Metrocast – Systems Performance Annual Report

The following standard reports have been enclosed:

- City Council Request & Inquiry Report

- Monthly Overnight Travel Summary (April & May)
- Permission & Permits Issued
- Personnel Action Report Summary

7. Communications from the Mayor

7.1. Discussion: Regular City Council Meeting for July

Mayor McCarley recommended holding the Regular City Council meeting on Wednesday, July 5, 2017, due to the July 4th holiday falling on the first Tuesday of the month.

Councilor Keans mentioned the Appointments Review Committee could make adjustments to July 5, 2017, scheduled meeting.

Mayor McCarley informed the public and City Council that a Special City Council meeting to consider 2017-2018 budget adoption is scheduled to take place on June 13, 2017.

8. Presentations of Petitions and Council Correspondence

No discussion.

9. Nominations, Appointments, Resignations, and Elections

No discussion.

10. Reports of Committees

10.1. Codes and Ordinances Committee

10.1.1. Amendment to Chapter 42 of the General Ordinances of the City of Rochester Regarding Taverns *second reading and consideration for adoption*

Councilor Lauterborn mentioned three action items to be voted upon by the City Council. The first of the amendments regarding "taverns" allows craft breweries to allow carryout sales. She added that the City of Rochester General Ordinances currently prohibit such action.

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

**Amendment to Chapter 42 of the General Ordinances of the City of
Rochester Regarding Taverns**

THE CITY OF ROCHESTER ORDAINS:

That Chapter 42 of the General Ordinances of the City of Rochester and currently before the Rochester City Council, be amended as follows:

42.2 Definitions and Terminology

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*
*

b. Definitions

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*
*

95. Eating and Drinking Establishments:

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*
*

G) **Tavern** (also known as a "bar" or "pub" or "***nano brewery***" or "***winery***" or "***distillery***"): A commercial establishment that sells alcoholic beverages for consumption on the premises. This may include the actual production of those alcoholic beverages on the premises, ***the carryout sales of those beverages produced on the premises***, and the production and sale of food products on the premises.

The effective date of these amendments shall be upon passage.

Councilor Lachapelle **MOVED** to **ADOPT** the amendment. Councilor Bogan seconded the motion. Councilor Keans questioned if the wording to this amendment reflects the wording from a neighboring community or if a few words were just added to the City of Rochester's current ordinance. Councilor Lauterborn recalled that Seth Creighton, Planning Department, spoke to the Committee about the amendment. The **MOTION CARRIED** by a unanimous voice vote.

10.1.2. Amendment to Chapter 16 of the General Ordinance of the City of Rochester Regarding the Requirement to Connect to Public Sewers
second reading and consideration for adoption

Councilor Lauterborn stated that this amendment would reduce the required connection distance from 200 feet down to 100 feet.

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

Amendment to Chapter 16 of the General Ordinance of the City of Rochester Regarding the Requirement to Connect to Public Sewers

THE CITY OF ROCHESTER ORDAINS:

That Chapter 16 of the General Ordinances of the City of Rochester regarding the requirement of property owners to connect to public sewers and currently before the Rochester City Council, be amended as follows:

16.3 Use of Public Sewers Required.

(a) -----

(b) -----

(c) -----

(d) The owner(s) of all houses, buildings, or property used for human occupancy, employment, recreation, or other purposes, situated within the City and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the City, is hereby required at the owner(s) expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within ninety (90) days after date of official notice to do so, provided that said public sewer is within ~~two hundred (200)~~ **one hundred (100)** feet of the building.

(e) Structures within one hundred (100) feet of the public sewer and currently served by private wastewater disposal facilities shall connect to the public sewer within ninety (90) days after an official notice to do so. The City may grant a waiver to this requirement for properties with existing adequate sewage disposal systems which can be proven by the

property owner to comply with applicable state and local regulations, to have been designed by a designer licensed in New Hampshire and to have been approved for construction by the New Hampshire ~~e~~**Department of Environmental s**~~Services~~ after January 1, 1985. The cost of connection to the public sewer shall be borne by the property owner, **however if a sewer stub exists** with the exception of the **cost of the** portion of the connection within the public right of way ~~which costs~~ shall be borne by the Rochester ~~Water~~ **Sewer** Enterprise Fund. For the purpose of this section, structures shall mean houses, buildings, or property used for human occupancy, employment, recreation, or other purposes.

16.4 **Private Wastewater Disposal.**

(a) -----

(b) -----

(c) At such time as public sewer becomes available to a property served by a private wastewater disposal system, as provided in 16.3 (d), **after connection to the public sewer**, ~~a direct connection shall be made to the public sewer within ninety (90) days in compliance with this ordinance,~~ and any septic tanks, cesspools, and similar private wastewater disposal facilities shall be cleaned of sludge and filled with suitable material.

The effective date of these amendments shall be upon passage.

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

10.1.3. Amendment to Chapter 16 of the General Ordinances of the City of Rochester Regarding the Requirement to Connect to Public Sewers *first reading, second reading and consideration for adoption*

Councilor Lauterborn stated that this amendment would correct an issue with the flat rate requirement. The proposed ordinance would consider that a wastewater customer is allowed to obtain a wastewater meter instead of paying a mandatory flat rate.

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

Amendment to Chapter 16 of the General Ordinance of the City of

Rochester Regarding the Requirement to Connect to Public Sewers

THE CITY OF ROCHESTER ORDAINS:

That Chapter 16 of the General Ordinances of the City of Rochester regarding unmetered residential wastewater customers and currently before the Rochester City Council, be amended as follows:

16.16 Rates, Charges, and Fees.

(a) -----

(b) Unmetered Residential Customers. ***All unmetered*** ~~Any~~ residential wastewater customers ~~not connected to the City of Rochester water system~~ shall pay a flat rate quarterly wastewater use charge. The rate shall be as listed in Section 16.25, Wastewater Rate and Fee Schedule. Each unit of a multi-unit dwelling or mobile home park shall be considered a residential customer. The property owner shall be billed for each dwelling unit even if the property has only one service (i.e. the owner of a 10-unit apartment building shall be build the residential flat rate x 10.)

The effective date of these amendments shall be upon passage.

Councilor Lachapelle **MOVED** to read the amendment for the second time by title only. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the amendment for the second time by title only.

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

Councilor Lachapelle said the Codes and Ordinances Committee meeting scheduled for July 6, 2017, has been canceled. The next Committee meeting is scheduled for August 3, 2017.

10.2. Community Development

Councilor Lauterborn said proposed adjustments were made to the CDBG funding and referred to page 106 of the City Council packet for more details.

Councilor Lauterborn **MOVED** to read the resolution for the second time by title only. Councilor Bogan seconded the motion. Councilor Lauterborn read the resolution for the second time by title only as follows:

Resolution Adopting a 2017-2018 Rochester CDBG
"Action Plan for the City of Rochester, N.H." and Approving and
Appropriating the 2017-2018 Community Development Budget for
the City of Rochester

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

I. That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, hereby adopt the one-year 2017-2018 "Action Plan for the Community Development Division for the City of Rochester, N.H.," as prepared and presented to the Mayor and City Council by the City of Rochester Office of Economic and Community Development, in connection with the City's Community Development Block Grant (CDBG) program, including the goals, objectives, and concepts set forth therein;

II. **Further**, that a twelve (12) month Community Development Block Grant budget for the Office of Economic and Community Development for the City of Rochester in the total amount of Two Hundred Sixteen Thousand Nine Hundred Forty-Six Dollars (\$216,946.00) be, and hereby is, approved and appropriated for fiscal year 2017-2018. Included in said approval and appropriation are expenditures set forth in the one-year action plan of the Office of Economic & Community Development for the City of Rochester for the Community Development Block Grant program, in the following categories and amounts:

Administration and Planning	\$ 43,389.20
Public Service Agencies	\$ 32,541.90
<u>Housing/Public Facilities/Infrastructure</u>	<u>\$141,014.90</u>

Total:	\$ 216,946.00
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This budget and the one-year action plan for 2017-2018 may be reconsidered if federal funding is changed or if it is inconsistent with the total 2017-2018 budget adopted for the Office of Economic & Community Development.

The sums necessary to fund the above appropriation in the amount of Two Hundred Sixteen Thousand Nine Hundred Forty-Six Dollars (\$216,946.00) shall be drawn in their entirety from the above-mentioned 2017-2018 fiscal year Community Development Block Grant from the federal government to the City of Rochester. The Finance Director is hereby authorized to create

such line item accounts as shall be necessary to implement this Resolution.

Furthermore, in the event that federal funding for the above Community Development Block Grant budget is less than the total appropriation amount provided for in this Resolution, then, and in such event, the City Manager, or his designee in the Office of Economic and Community Development, is authorized to proportionately reduce the amounts for the budgetary categories stated above, as well as for any planned grants and/or other expenditures made from within such budgetary categories.

Councilor Lauterborn **MOVED** to **ADOPT** the resolution. Councilor Bogan seconded the motion. Councilor Willis asked if the funding for the tennis courts is included with the final action plan. Councilor Lauterborn replied yes, it is still listed under the facilities portion of the grant. Councilor Lauterborn clarified that the total amount of funding for each category has not changed. She explained that recommendations from the Committee are included with the action plan if the federal government's funding exceeds the amount of anticipated funds. This allows the plan to move forward with the funding unless the amount is considerably higher than anticipated.

Julian Long, Grant Coordinator, said that a list of CDBG projects are listed on page 155 and 156 of the City Council packet. Mayor McCarley called for a vote on the motion to adopt. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Lauterborn said the Community Development Committee is not meeting in June and the next Committee meeting is scheduled for July 10, 2017.

10.3. Government Channel

Councilor Willis said the Committee met on May 15, 2017. He said the Committee discussed the Richard Creteau Technology Center renovation project, which includes a media center renovation. The idea is to combine efforts with the School Department for a broadcast studio center for the City's general use as well, which would be accessed outside of normal school hours. He recalled that the City has cut the funding of \$300,000 to create a media center out of the City's side of the budget; however, some funding may be required to assist with this project in a future budget cycle.

10.4. Public Works and Building Committee

Councilor Torr said one action item that should be discussed is the Dewey Street Bridge project, which is to be discussed later on the agenda.

11. Old Business

11.1. **AB 168** Resolution Authorizing Supplemental Appropriation for the Dewey Street Pedestrian Bridge Project and Borrowing Authority Pursuant to RSA 33:9 in the Amount of \$170,000 *second reading and consideration for approval*

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

Resolution Authorizing Supplemental Appropriation for the Dewey Street Pedestrian Bridge Project and Borrowing Authority Pursuant to RSA 33:9 in the Amount of \$170,000

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

That the sum of One Hundred Seventy Thousand Dollars (\$170,000.00) be, and hereby is, appropriated as a supplemental appropriation to the Capital Improvement Project (CIP) fund of the City of Rochester Department of Public Works, for the purpose of providing funds necessary to pay costs and/or expenditures with respect to the so-called Dewey Street Pedestrian Bridge Project.

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 Seventy Thousand Dollars (\$170,000.00), 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

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.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Torr seconded the motion.

Councilor Keans gave reasons to vote against the motion. She added that the project could be delayed until next year to ensure a solid plan of action.

Councilor Lauterborn expressed concern about some of the details of the project, which seems unclear. Additionally, she asked if the company who provided service at the Columbus Avenue Bridge would be the company to work on the Dewey Street Bridge. John Storer, Director of City Services, replied yes, because one company happened to be the lowest bidder in both cases; however, the contractor/installer would be different. Councilor Lauterborn stated her disappointment in the fact that the Columbus Avenue Bridge seems unfinished, due to an uneven decking installment. She requested to look closely at the quality of the project for the Dewey Street project.

Mr. Storer addressed many of the City Councilors other concerns about the project; subsequently, he would send the approval letter from the Department of Environmental Services to the City Manager for distribution.

Councilor Torr said that no gas-powered vehicles should cross the new pedestrian bridge, including the City's sidewalk plow. Councilor Willis expressed concerns about the constraints imposed by the City through the bidding process, which prolongs the project and results in a higher bid than anticipated. Mr. Storer replied that he initially had the same concerns; however, it seems that it is not the timeframe involved at fault for spiking the bid higher. He added that there could be a small savings by allowing more time to the project; however, there would not be a significant amount of savings. He gave details of what this project involves, including what would happen with the existing structure in the water, which would be cut off at the mud line. He agreed to send a list of the costs involved to the City Manager for distribution, if necessary.

Councilor Keans asked about the Memorandum of Understanding between the City of Rochester and the Rochester Trustees of the Trust Fund. Mr. Storer said the draft would be sent to the next Public Works Committee meeting. Councilor Keans voiced concerns about approving funding for the project without the Memorandum of Understanding being in place. Mr. Storer gave details about what is listed in the draft memorandum. Ms. Turner, Trustee of the Trust Fund, said that the Trustees are in favor of what is listed in the memorandum.

Councilor Keans asked about obtaining a shoreland permit. Mr. Storer

recalled that all necessary permits were obtained for this project. Councilor Willis gave a brief history of the shoreland permits and did not believe this type of permit would be necessary for this particular project.

Councilor Torr requested a roll call vote. Councilor Bogan seconded the request. Mayor McCarley called for a roll call on the motion to adopt. The **MOTION FAILED** to obtain the required two-thirds vote of the City Council by a 7 to 6 roll call vote. Councilors Willis, Gray, Abbott, Hamann, Barnett, Varney, and Mayor McCarley voted in favor of the motion. Councilors Gates, Keans, Lauterborn, Lachapelle, Torr, Bogan, voted against the motion.

Councilor Varney requested that barriers be erected at the existing bridge to prevent motorized traffic.

Mayor McCarley stated this vote did not receive the required two-thirds vote. Councilor Keans **MOVED** to **DENY** the resolution. Councilor Bogan seconded the motion. Council discussed the entire project, which could not be completed without the additional funding. Councilor Bogan **WITHDREW** the second to the motion.

Councilor Lauterborn said it seems that several City Councilors were under the impression that the project could be completed without the additional funding; however, it is evident now, that it cannot happen without the additional funding. Subsequently, she asked what the process is to reconsider a vote previously taken. Councilor Willis **MOVED** to **RECONSIDER** the original motion. Councilor Torr seconded the motion. Councilor Willis gave specific concerns about some of the details of the project; however, he understood that this is likely the most cost effective means in building a bridge in today's construction world. Council debated the matter. Councilor Lachapelle requested a roll call vote. Councilor Torr seconded the request. The **MOTION** to **RECONSIDER** the vote upon the original motion **CARRIED** by a 12 to 0 roll call vote. Councilors Hamann, Willis, Abbott, Gates, Varney, Gray, Torr, Lauterborn, Lachapelle, Barnett, Bogan, and Mayor McCarley voted in favor of the motion. Councilor Keans voted against the motion.

Mayor McCarley called for a re-vote on the original motion. Councilor Keans spoke against the motion. Councilor Torr requested a roll call vote. Councilor Lachapelle seconded the request. The **MOTION CARRIED** by a two-thirds vote of 12 to 1 in favor of the motion. Councilors Willis, Lachapelle, Abbott, Varney, Gates, Barnett, Bogan, Lauterborn, Gray, Hamann, Torr, and Mayor McCarley voted in favor of the motion. Councilor Keans voted against the motion.

12. Consent Calendar

No discussion.

13. New Business

- 13.1. **AB 169** Resolution Adopting a 2017-2018 Rochester CDBG "Action Plan for the City of Rochester, NH" and Approving and Appropriating the 2017-2018 Community Development Budget for the Rochester *second reading and consideration for approval*

This resolution passed during the Community Development Committee Report.

- 13.2. **AB 188** Resolution Approving Contract and Cost Items Associated with Proposed City of Rochester School Department Multi-Year Collective Bargaining Agreement with Rochester RFT Paraprofessional Unit (Paraprofessionals) *first reading, second reading, and consideration for approval*

Councilor Bogan notified the City Clerk's office that she would recuse herself from Agenda Bill 187 and 188, due to her employment with the City of Rochester's School Department as a paraprofessional.

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

See Addendum A

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

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Abbott seconded the motion. The **MOTION CARRIED** by a majority voice vote.

- 13.3. **AB 187** Resolution Approving Contract and Cost Items Associated with Proposed City of Rochester School Department Multi-Year Collective Bargaining Agreement with Rochester Administrative Unit

(Administration) *first reading, second reading, and consideration for approval*

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

See Addendum B

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

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Gray seconded the motion. Councilor Willis spoke against the motion. He understood that these are well-educated and competent employees; however, the City should pare it back to be more in line with the average CPI over the last five years. Mayor McCarley understood Councilor Willis's concern; however, this contract is in line with the City approved contracts. Councilor Torr requested a roll call vote. Councilor Lachapelle seconded the request. The **MOTION CARRIED** by a roll call vote of 7 to 5. Councilors Lachapelle, Varney, Hamann, Keans, Lauterborn, Gray, and Mayor McCarley voted in favor of the motion. Councilors Barnett, Gates, Torr, Willis, and Abbott, voted against the motion.

13.4. AB 185 Motor Vehicle Junk Yard Licenses and Junk Dealer Licenses *Consideration for approval*

Councilor Torr **MOVED** to **APPROVE** the Motor Vehicle Junk Yard Licenses and Junk Dealer License. Councilor Gray seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

13.5. AB 186 Presentation of Annual Dog Warrant to the City Council –Unlicensed Dogs *Motion to accept the Annual Dog Warrant and to send to the Rochester Police Department for action*

Councilor Lachapelle **MOVED** to **ACCEPT** the Annual Dog Warrant and to send it to the Rochester Police Department for action. Councilor Gray seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

13.6. AB 190 Presentation: Wayfinding Presentation by BETA Group

This discussion and presentation has been postponed.

13.7. Budget Deliberations: FY 2018

John Marzinzik, President and CEO of Frisbie Memorial Hospital, gave a presentation about the Recovery Center for substance abuse and opioid epidemic, which has been open for about a year.

Mr. Marzinzik gave specific details about the program and financial operations. He distributed the monthly statistics about the program since its opening and a budget based on operations for roughly one year [\$163,000]. He noted that some of the information is not listed such as the insurance policy and some of the overhead costs. He gave details about some of the successes of the program and the expansion of other related programs.

Councilor Lauterborn said it is clear that the City of Rochester is the largest benefactor [\$75,000]. She asked if the nursing staff is being paid about the same as other nursing staff at Frisbie. Mr. Marzinzik replied yes and the figures listed include both salaries and benefits. Councilor Lauterborn said it seems that State and Federal grants may become available soon and it would make sense to relieve the City of Rochester taxpayers for being the largest supporter of the program. Mr. Marzinzik mentioned that he has applied for a Federal Grant for \$150,000 to assist with the operations of a suboxidone clinic, which would also help with the mental health program being developed.

Councilor Willis asked about the spreadsheet and the number of members listed. Mr. Marzinzik replied that there are now 104 registered members and the program is on the verge of becoming a certified recovery program. He gave details of how the program is expected to become certified soon.

FY 18 BUDGET DELIBERATIONS CONTINUED FROM THE MAY 30, 2017 COMMITTEE OF THE WHOLE BUDGET MEETING:

[34] AMENDMENT TO THE CITY MANAGER'S PROPOSED [FY 18 CIP BUDGET]

School Department: "Creteau Technology Center Renovation" [DECREASE BY \$24,187,127]

Councilor Varney **MOVED** to **AMEND** the City Manager's proposed CIP Budget for the School Department [CIP: Page 82] project titled *Creteau*

Technology Center Renovation Project by **reducing** the amount of \$24,187,127 to \$0.00. Councilor Bogan seconded the motion. Mayor McCarley reminded the City Council that the City Council has already authorized this project using bonding and is now waiting for a final approval from the State legislation. The **MOTION CARRIED** by a unanimous voice vote. [CIP: Page 82]

**[35] AMENDMENT TO THE CITY MANAGER'S PROPOSED
[FY 18 CIP BUDGET]**

**Department of Public Works: "Paving Rehab Program"
[DECREASE BY \$26,852]**

Councilor Varney **MOVED** to **AMEND** the City Manager's proposed CIP Budget for the Public Works Department [CIP: Page 51] project titled *Pavement Rehab Program* the original amount of \$1,125,000 to be **reduced** by \$26,852 for a new total of \$1,098,148. Councilor Bogan seconded the motion. Councilor Willis asked what paving project would be cut. Councilor Varney replied that some pavement funding must be cut to meet the tax cap requirements. Mayor McCarley said the cut is in general; however, it may be taken from some of the sidewalk pavement projects. Councilor Willis **MOVED** to **AMEND** the motion to reduce the amount by an additional amount of money to equal a new reduction of \$70,000. Councilor Bogan seconded the motion. Councilor Willis gave reasons he felt that the Woodman/Myrtle area should not be paved until it is ready for the infrastructure part of the project; otherwise it will be paved over and forgotten for another 10 years. Councilor Lauterborn disagreed and spoke against reducing the paving line more than the original request made by Councilor Varney [\$26,852]. Councilor Varney agreed with Councilor Lauterborn and spoke against the motion. Councilor Lauterborn requested a roll call. Councilor Bogan seconded the request. Mayor McCarley called for a vote on the amendment which would result in not including the Woodman/Myrtle Streets being paved. The **MOTION to AMEND FAILED** by a 1 to 12 roll call vote. Councilor Willis voted in favor of the motion. Councilors Lauterborn, Keans, Barnett, Lachapelle, Gray, Abbott, Torr, Hamann, Bogan, Gates, Varney, and Mayor McCarley voted against the motion. Mayor McCarley called for a vote on the original motion, which is to reduce the paving line by \$26,852. The **MOTION CARRIED** by a unanimous voice vote.

**[36] AMENDMENT TO THE CITY MANAGER'S PROPOSED
[FY 18 CIP BUDGET]**

**School Department: "Anticipated Revenues"
[INCREASE BY \$300,000]**

Mayor McCarley stated that Superintendent Hopkins received a letter from the State regarding an increase to the anticipated revenues, subsequently, he has requested that the City Council add \$300,000 to the School Department's anticipated revenues. Mayor McCarley stated that this would assist in the process of having the School Department meet the Tax Cap requirement, currently the School Department's budget is about \$600,000 shy of meeting the Tax Cap requirement.

Mayor McCarley **MOVED** to **AMEND** the City Manager's proposed budget by increasing the School Department's anticipated revenues by \$300,000. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Varney requested that the Assessing Department seek to find out what the City's assessed evaluation might be in the fall. This is still being worked upon; however, the new construction value is almost at \$32,000,000. He added that this would change the anticipated tax rate increase over last year from \$0.90 down to \$0.51.

Mayor McCarley informed the City Council that the Construction Engineer position has been cut out of the City Manager's proposed budget and is still not part of the operating budget for the 2017-2018 budget. The City Council briefly discussed what the position should be focused upon. Councilor Willis expressed support for including a position in the budget. Councilor Willis **MOVED** to restore a third position, at the labor grade 15, and to review the job description accordingly, in the Department of Public Works Department. Councilor Bogan seconded the motion. Councilor Varney questioned how this position would be funded without exceeding the tax cap requirements. The City Council discussed waiting another week for this vote. Mayor McCarley asked for an estimated cost of this action. It was determined that it would cost approximately \$90,000 split between the three departments: Public Works, Waste Water, and Water Department. Councilor Gray **MOVED** to **AMEND** the motion by funding the position as an engineer and that the money is taken out of the Fund Balance. Mayor McCarley ruled the amendment out of order. The **MOTION FAILED** by a 2 to 11 roll call vote. Councilors Willis and Keans voted in favor of the motion. Councilors Barnett, Varney, Bogan, Lachapelle, Gray, Abbott, Torr, Hamann, Gates, Lauterborn, and Mayor McCarley voted against the motion.

Mayor McCarley stated that a final budget deliberation is scheduled for June 13, 2017.

14. Non-Meeting/Non-Public Session

14.1. Non-Meeting, RSA 91-A

Mayor McCarley said the City Council could adjourn the Regular Meeting and enter into the Non-Meeting immediately following the adjournment.

15. Other

No discussion.

16. Adjournment

Councilor Lachapelle **MOVED** to **ADJOURN** the Regular City Council meeting at 9:55 PM. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully submitted,

Kelly Walters, CMC
City Clerk

**RESOLUTION APPROVING CONTRACT
AND COST ITEMS ASSOCIATED WITH PROPOSED
CITY OF ROCHESTER
SCHOOL DEPARTMENT
MULTI-YEAR COLLECTIVE BARGAINING
AGREEMENT WITH
ROCHESTER RFT
PARAPROFESSIONAL UNIT
(Paraprofessionals)**

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

That pursuant to, and in accordance with, the provisions of Chapter 273-A of the New Hampshire Revised Statutes Annotated, the multi-year year collective bargaining agreement between the City of Rochester and the Rochester Federation of Teachers Paraprofessional Bargaining Unit employee collective bargaining group, covering the period July 1, 2017 to June 30, 2020, as set forth in the proposed contract, a copy of which proposed contract has been made available to the Mayor and City Council, and with its financial impacts as more particularly detailed on the attached **“EXHIBIT A: RFT Paraprofessional Unit” dated May 16, 2017**, which includes a summary financial analysis of the annual costs of the contract to the City provided by the Superintendent of Schools, is hereby approved, including, specifically, the cost items associated therewith.



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

RFT Paraprofessional Collective Bargaining Unit Agreement

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	June 6, 2017		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED	May 16, 2017		
ATTACHMENTS	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	9

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	NA
SOURCE OF FUNDS	School FY2018 O&M
ACCOUNT NUMBER	Various
AMOUNT	TBD
APPROPRIATION REQUIRED	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
As part of FY2018 Approved Budget	

LEGAL AUTHORITY

RSA 273-A and City Charter

SUMMARY STATEMENT

School Superintendent Hopkins has notified the City Manager that the Rochester School Board and Rochester Federation of Teachers Paraprofessional Bargaining Unit have reached tentative agreement on a collective bargaining agreement for school years 2017-2018 through 2019-2020. The contract has been ratified by the bargaining unit and approved by the School Board on May 11, 2017. The Superintendent seek approval of the contract by the legislative body, the City Council.

Please see the attachment with an explanation of cost items and language changes.

RECOMMENDED ACTION

Approval of the Cost items pertaining to the tentative agreement and resultant collective bargaining agreement.

City of Rochester School Department

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

Mr. Kyle M. Repucci
Assistant Superintendent of Schools
e-mail: repucci.k@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



May 16, 2017

CITY OF
Rochester
Received

MAY 17, 2017

CITY MANAGER
ROCHESTER
COPY

Mr. Daniel Fitzpatrick, City Manager
Rochester City Hall
31 Wakefield Street
Rochester, New Hampshire 03867

Dear Mr. Fitzpatrick:

This letter is to notify you that the Rochester School Board and Rochester Federation of RFT Paraprofessional Bargaining Unit have reached tentative agreement on a collective bargaining agreement for school years 2017-2018 through 2019-20. The contract has been ratified by the bargaining unit and approved by the Board on May 11, 2017. It is necessary now that we present the cost items in the agreement to the City Council for its consideration. The cost items are attached to this letter.

Accordingly, I request that we be granted an audience with the Council at its earliest convenience so that we may present the cost items and answer any questions that the Council members may have.

Yours truly,

Michael L. Hopkins
Superintendent of Schools

MLH/mgm

cc Rochester City Council

Enclosures

EXHIBIT A: RFT Paraprofessionals Unit (May 16, 2017)

Rochester Federation of Teachers, AFT Local 3607, AFT-NH, AFL-CIO Paraprofessionals Bargaining Unit

Tentative Agreement

The Rochester Federation of Teachers, AFT#3607 (paraprofessionals bargaining unit) and the Rochester School Board agree to the following changes to be incorporated into the current contract for a three (3) year contract with the following changes to current contract language to be incorporated into a successor agreement with an effective date of July 1, 2017.

Wage and Cost Items Summary:

Health Insurance changes to the higher deductible plan. Deductible of \$1,000, \$2,000 or \$3,000.

Current year Health Costs: \$1,025,754; next year costs will be \$951,546 or a savings of \$74,208. This assumes no change in employees in the next three years. We have an annual turnover of 40 or more Paras, which leads to reduced labor and health insurance costs over projections.

- **FY 2017-2018** Wage Increase of 6% in first year, with Health Insurance savings equates to 3.7% overall increase.
- **FY 2018-2019** 2.1% wages increases and overall 2.5% assuming a 5% Health Insurance Increase.
- **FY 2019-2020** 1.9% wage increases 2.4% overall assuming a 5% Health Insurance Increase.

Bargaining Unit agrees to language that withholds step increases if on an improvement plan.

248 employees in this Bargaining Unit; 40+ new employees in this unit in the last year.

Turnover is an issue.

Starting Para working 27.5 hours per week, earns \$12,641; Top Para \$17,664.

Para working 35 hours per week: starting at \$16,089 ending at \$22,481.

We have 11 open Para positions right now. Secretary and bookkeeping positions are about \$2.00 per hour behind the city scale.

New Section

P. *Loss of Personal Property*

The Board agrees to establish a pool of \$1,000 per year for the reimbursement of job related property loss incurred by covered employees. Covered employees who believe they have a claim may submit said claim, with proof of financial loss (i.e. receipts), to the Federation President on or before June 1 of each year. A committee of employees covered by this contract appointed by Federation will then consider all claims and allocate the funds from the pool to claimants on the basis of relative merit. The Federation President will forward the committee's recommendation to the Superintendent of Schools for review and final approval. In no case shall the Federation recommend approval of aggregate claims in excess of \$1,000 per fiscal year, and in no case shall the Federation recommend approval of a single claim in excess of the actual financial loss to the employee. Actions based on this provision of the Agreement are not subject to the Grievance Procedure. Claims may not be carried from one school year to the next.

Article IX - Compensation

A. *Wage Scales and Step Plan*

Employees on improvement plans shall not be eligible for step increases until they have satisfied the requirements of their plans. When employees on plans satisfy the requirements of their plans, they shall receive the step prospectively. If it is determined that an employee has been improperly placed on an improvement plan, the employee will receive the step retroactively.

NON COST ITEMS

Article I – Recognition

- B. *Dues Deduction*
New form – **Appendix A**

New Section

- D. The Federation shall be provided an opportunity at the beginning of the school year to address the employees covered by this contract either in a district wide or building meeting.

Article II - Duration

- A. This Agreement and the provisions herein shall become effective on July 1, **2017** and shall continue in effect until June 30, **2020**.

Article VI - Working Conditions

- B. The parties agree to establish a Labor-Management Committee comprised of equal representatives from the Administration and the Union for the purpose of reviewing workshop offerings and details of the Rochester Paraprofessional Academy. The Committee shall meet regularly and shall make recommendations for the Academy for each upcoming school year.

- L. *Notification of Annual Employment Status*

Notification of the District's intent to employ for the upcoming school year will be given to all employees ~~by June 30th~~ **as soon as practicable after city council approval of the school district budget.** On or before July 30th each employee shall be provided with a notification which shall include the employee's assignment for the upcoming school year, salary/hourly wage rate, and benefits.

Article X - Leaves

- B. *Sick Leave*

1. Employees may accumulate sick leave after completion of the employee's probationary period. Sick leave may be used for the illness or injury of the employee or for any proper FMLA purpose.
6. Sick leave can be used in one (1) hour increments if the absence is less than half a day, or the position does not require a sub. The employee is responsible to enter "sub not needed" at the time of the absence, and the time they will be out.

- E. *Parental Leave/FMLA Leave*

1. ~~Two days~~ Time shall be granted to a parent ~~either a mother or father~~ to spend with a newly adopted child or ~~to a father~~ upon the delivery of ~~his~~ a natural child. Compensation for such days will be made possible by charging these days to the employee's sick leave. If the employee does not have accumulated sick days, such leave will be granted without pay.
3. With prior approval of the Superintendent, employees who do not qualify for FMLA leave and who have completed the initial probationary period are eligible to receive a leave of absence for the extended illness of the employee, or the employee's spouse, children, mother, or

father for a period of up to twelve (12) weeks or the amount of accrued leave available to the employee, whichever is greater. During the period of such leave, the employee shall be entitled to utilize all of the employee's accrued leave at the employee's discretion. Once the employee's accrued leave is exhausted, the leave shall be unpaid. The employee shall be entitled during this twelve (12) week period to all benefits provided by this agreement.

4. At the discretion of the Superintendent, an extended leave in excess of twelve (12) weeks or the employee's accrued leave, whichever is greater, and up to twelve (12) months may be granted. For employees not eligible for the District's medical insurance, upon exhaustion of the employee's paid sick leave or personal days, the employee is not eligible to receive any of the benefits contained in this Agreement but may continue to access insurance benefits at the employee's own expense. The employee shall not lose any seniority the employee has earned up to the date of the approved leave. The employee desiring to return from such extended leave shall be assigned to the next available vacancy for which the employee is qualified and be eligible for all benefits upon the employee's return to work.

F. Bereavement Leave

1. Spouse, domestic partner or child (including step-equivalents): Five (5) work days for the death excluding Saturday, Sunday and Holidays.

Article XII - Fringe Benefits

A. Health Insurance

Employees working thirty (30) or more hours per week, or who have worked for at least (5) years and who work at least 20 hours per week in the District, shall be eligible for health insurance coverage provided by the Health Trust in the following plan:

Matthew Thornton AB SOS 20/40/1KDED, RX 10/20/45 with \$1,000 (Single), \$2,000 (2-Person), \$3,000 (Family) deductibles.

The Board shall pay eighty percent (80%) of the total premium and the employee shall pay twenty percent (20%) of the total premium.

Employees working less than (20) hours per week OR those who work less than (30) hours per week and have worked (4) years or less in the District, may purchase health insurance at their own expense through the District.

Appendix A
Rochester School District
Dues Deduction Authorization Form

Name _____

I hereby authorize the Rochester School District to withhold from my salary, Federation dues in an amount to be certified by the Treasurer of the Rochester Federation of Teachers, acknowledging that the amount of dues may increase at times subsequent to the authorization, and this authorization shall be a continuing authorization for such dues deductions.

The sums thus to be deducted over the period of one year, (twenty-two pay periods, twenty- six pay periods, or other arrangement as permitted by the Master Agreement) are hereby assigned by me to the Rochester Federation of Teachers, and are to be remitted by the Rochester School Department to the Treasurer of the Federation. Having done so, the District shall be held harmless from any claim(s) in connection with the provisions of this authorization and Master Agreement terms. It is further agreed that the District assumes no financial liability except to forward, on a monthly basis, those funds which have been properly authorized and deducted the last day of the preceding month.

This authorization and assignment shall continue in full force and effect from year to year unless I notify the Office of the Superintendent and the Rochester Federation of Teachers' Treasurer in writing between June 1 and September 1, to cease deductions for the coming year.

Signature: _____ Date: _____ Home Address:

City: _____ State: _____ Zip: _____ Phone #: () _____

Last Four Digits of Social Security # _____

School: _____

Home E-Mail: _____

Please check position below:

Teacher: _____ Para-Professional: _____ Food Service: _____ **Secretary:** _____

Recruited By: _____

Once completed, this form must be sent directly to the Federation Treasurer.

For Office Use Only:

Date Received: _____

Copies sent to: **Treasurer** _____ **Date:** _____

Central Office: _____ **Date:** _____

Appendix B

2016-2017

Years of Experience	SEC 1	SEC 2	BK 2	Para-Educator 1	Para-Educator 2
0	\$12.16	\$13.79	\$15.14	\$11.66	\$12.56
1	\$12.19	\$13.80	\$15.17	\$11.68	\$12.58
2	\$12.23	\$13.86	\$15.20	\$11.72	\$12.61
3	\$12.44	\$14.04	\$15.49	\$11.91	\$12.68
4	\$12.65	\$14.32	\$15.75	\$12.16	\$12.99
5	\$12.88	\$14.60	\$16.03	\$12.19	\$13.28
6	\$13.08	\$14.88	\$16.28		\$13.54
7	\$13.29	\$15.13	\$16.56		\$13.65
8	\$13.51	\$15.39	\$16.85		\$13.88
9	\$13.69	\$15.68	\$17.16		\$14.16
10	\$13.93	\$15.98	\$17.43		\$14.67
11	\$14.12	\$16.23	\$17.64		\$15.61
12	\$14.89	\$17.16	\$18.46		\$17.01
13	\$15.24	\$17.66	\$18.97		\$17.55
20		\$17.76			

2017-2018 (Shift from step 3 through step 13 hourly rate up one step, add new step 10, and add step 14)

Years of Experience	SEC 1	SEC 2	BK 2	Para-Educator 1	Para-Educator 2
0	\$12.52	\$14.20	\$15.59	\$12.01	\$12.94
1	\$12.56	\$14.21	\$15.63	\$12.03	\$12.96
2	\$12.81	\$14.46	\$15.95	\$12.27	\$13.06
3	\$13.03	\$14.75	\$16.22	\$12.52	\$13.38
4	\$13.27	\$15.04	\$16.51	\$12.56	\$13.68
5	\$13.47	\$15.33	\$16.77	\$12.93	\$13.95
6	\$13.69	\$15.58	\$17.06		\$14.06
7	\$13.92	\$15.85	\$17.36		\$14.30
8	\$14.10	\$16.15	\$17.67		\$14.58
9	\$14.35	\$16.46	\$17.95		\$15.11
10	\$14.45	\$16.58	\$18.06		\$15.56
11	\$14.54	\$16.72	\$18.17		\$16.08
12	\$15.34	\$17.67	\$19.01		\$17.52
13	\$15.70	\$18.19	\$19.54		\$18.08
14	\$16.17	\$18.74	\$20.13		\$18.62
20		\$17.76			

2018-2019 (Add step 15)**Years of****Experience****SEC 1****SEC 2****BK 2****Para-Educator 1****Para-Educator 2**

0

~~\$12.52~~

\$14.20

\$15.59

\$12.01

\$12.94

1

~~\$12.56~~

\$14.21

\$15.63

\$12.03

\$12.96

2

~~\$12.81~~

\$14.46

\$15.95

\$12.27

\$13.06

3

~~\$13.03~~

\$14.75

\$16.22

\$12.52

\$13.38

4

~~\$13.27~~

\$15.04

\$16.51

\$12.56

\$13.68

5

~~\$13.47~~

\$15.33

\$16.77

\$12.93

\$13.95

6

~~\$13.69~~

\$15.58

\$17.06

\$14.06

7

~~\$13.92~~

\$15.85

\$17.36

\$14.30

8

~~\$14.10~~

\$16.15

\$17.67

\$14.58

9

~~\$14.35~~

\$16.46

\$17.95

\$15.11

10

~~\$14.45~~

\$16.58

\$18.06

\$15.56

11

~~\$14.54~~

\$16.72

\$18.17

\$16.08

12

~~\$15.34~~

\$17.67

\$19.01

\$17.52

13

~~\$15.70~~

\$18.19

\$19.54

\$18.08

14

~~\$16.17~~

\$18.74

\$20.13

\$18.62

15

~~\$16.37~~

\$18.97

\$20.38

\$18.85

20

\$17.76

2019-2020 (Add step 16)**Years of****Experience****SEC 1****SEC 2****BK 2****Para-Educator 1****Para-Educator 2**

0

~~\$12.52~~

\$14.20

\$15.59

\$12.01

\$12.94

1

~~\$12.56~~

\$14.21

\$15.63

\$12.03

\$12.96

2

~~\$12.81~~

\$14.46

\$15.95

\$12.27

\$13.06

3

~~\$13.03~~

\$14.75

\$16.22

\$12.52

\$13.38

4

~~\$13.27~~

\$15.04

\$16.51

\$12.56

\$13.68

5

~~\$13.47~~

\$15.33

\$16.77

\$12.93

\$13.95

6

~~\$13.69~~

\$15.58

\$17.06

\$14.06

7

~~\$13.92~~

\$15.85

\$17.36

\$14.30

8

~~\$14.10~~

\$16.15

\$17.67

\$14.58

9

~~\$14.35~~

\$16.46

\$17.95

\$15.11

10

~~\$14.45~~

\$16.58

\$18.06

\$15.56

11

~~\$14.54~~

\$16.72

\$18.17

\$16.08

12

~~\$15.34~~

\$17.67

\$19.01

\$17.52

13

~~\$15.70~~

\$18.19

\$19.54

\$18.08

14

~~\$16.17~~

\$18.74

\$20.13

\$18.62

15

~~\$16.37~~

\$18.97

\$20.38

\$18.85

16

~~\$16.58~~

\$19.21

\$20.64

\$19.09

20

\$17.76

**Rochester School Department
Paraprofessional Salary Calculations**

	<u>Starting Salary</u>	<u>Increase</u>	<u>%</u>	<u>Total Salary</u>	<u>%</u>	<u>FICA</u>	<u>Health Ins</u>	<u>Dental</u>	<u>Total</u>	<u>% Increase</u>
Year 1-shift steps 3-13 up one step plus 3% increase, add new step 10, add step 14, Year 2 and 3 add new top step										
<u>Based on a merit step and health insurance rates at 80/20 with ABSOS plan</u>										
Current				4,426,883.26		338,656.57	1,025,754.93	13,606.92	5,804,901.68	
FY2017-2018	4,426,883.26	266,511.07	6.0%	4,693,394.33	6.0%	359,044.67	951,546.69	13,606.92	6,017,592.61	3.7%
FY2018-2019	4,693,394.33	96,220.74	2.1%	4,789,615.07	2.1%	366,405.55	999,124.02	13,606.92	6,168,751.57	2.5%
FY2019-2020	4,789,615.07	93,255.91	1.9%	4,882,870.98	1.9%	373,539.63	1,049,080.23	13,606.92	6,319,097.75	2.4%

*Intentionally
left blank...*

City Clerk's Office

**RESOLUTION APPROVING CONTRACT
AND COST ITEMS ASSOCIATED WITH PROPOSED
CITY OF ROCHESTER
SCHOOL DEPARTMENT
MULTI-YEAR COLLECTIVE BARGAINING
AGREEMENT WITH
ROCHESTER ADMINISTRATIVE UNIT
(Administration)**

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

That pursuant to, and in accordance with, the provisions of Chapter 273-A of the New Hampshire Revised Statutes Annotated, the multi-year year collective bargaining agreement between the City of Rochester and the Rochester Administrative Unit employee collective bargaining group, covering the period July 1, 2017 to June 30, 2020, as set forth in the proposed contract, a copy of which proposed contract has been made available to the Mayor and City Council, and with its financial impacts as more particularly detailed on the attached **“EXHIBIT A: Rochester Administrative Unit” dated May 16, 2017**, which includes a summary financial analysis of the annual costs of the contract to the City provided by the Superintendent of Schools, is hereby approved, including, specifically, the cost items associated therewith.



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

School Administrative Personnel Collective Bargaining Unit Agreement

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	June 6, 2017		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED	May 16, 2017		
ATTACHMENTS	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	5

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	NA
SOURCE OF FUNDS	School FY2018 O&M
ACCOUNT NUMBER	Various
AMOUNT	TBD
APPROPRIATION REQUIRED	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
As part of FY2018 Approved Budget	

LEGAL AUTHORITY

RSA 273-A and City Charter

SUMMARY STATEMENT

School Superintendent Hopkins has notified the City Manager that the Rochester School Board and Rochester Administrative Unit have reached tentative agreement on a collective bargaining agreement for school years 2017-2018 through 2019-2020. The contract has been ratified by the bargaining unit and approved by the School Board on May 11, 2017. The Superintendent seek approval of the contract by the legislative body, the City Council.

Please see the attachment with an explanation of cost items and language changes.

RECOMMENDED ACTION

Approval of the Cost items pertaining to the tentative agreement and resultant collective bargaining agreement.

City of Rochester School Department

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

Mr. Kyle M. Repucci
Assistant Superintendent of Schools
e-mail: repucci.k@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

May 16, 2017



OFFICE OF
Received
MAY 17 2017
CITY OF ROCHESTER

COPY

Mr. Daniel Fitzpatrick, City Manager
Rochester City Hall
31 Wakefield Street
Rochester, New Hampshire 03867

Dear Mr. Fitzpatrick:

This letter is to notify you that the Rochester School Board and Rochester Administrative Unit have reached tentative agreement on a collective bargaining agreement for school years 2017-2018 through 2019-2020. The contract has been ratified by the bargaining unit and approved by the Board on May 11, 2017. I am requesting approval of the contract by the legislative body, the City Council.

We negotiated changes since the last contract was turned down by the City Council. We reviewed the process the City Administration uses for determined salary ranges. We followed that process to determine the ranges, and incorporated similar language on setting the low and high ranges. We also removed the option for the Board to change the base pay rate for an employee if they are not getting a market rate salary.

Accordingly, I request that we be granted an audience with the Council at its next regular meeting or a special meeting, whichever you determine to be most appropriate, so that we may present the cost items and answer any questions that the Council members may have.

Yours truly,

A handwritten signature in black ink that reads "Michael L. Hopkins".

Michael L. Hopkins
Superintendent of Schools

MLH/mgm

cc City Council

Enclosure

**ADMINISTRATIVE BARGAINING UNIT
TENTATIVE AGREEMENT**

Cost Items:

- **FY 2017-2018** Salary increase of \$750 per person for a total of \$18,750. This is .9% increase. Merit pay between 0 to 3%, averages about 2.5% or \$51,674.
- Health Insurance, Reduction of \$1000, \$1,500 or \$2,000 per person toward the deductible. Health Insurance is 80/20% split. Savings in Health Insurance of \$39,498 over previous plan.
- **FY 2018-2019** \$53,435 for potential merit increases 0 to 3%. No change in Health Insurance. Wage increase 2.5%.
- **FY 2019-2020** \$54,771 for potential merit increases 0 to 3%. No change in Health Insurance. Wage increase 2.5%

Article VI.A.2—Compensation (pp. 8, 17)

Replace the first three lines of **Appendix A** with the following:

- 2017-2018 \$750, plus up to 3% merit
- 2018-2019 Up to 3% merit
- 2019-2020 Up to 3% merit

5. Article VI.A.4—Compensation (pp. 8-9)

Appendix B

The pay ranges in the salary schedule will adjust by the percentage change in the CPI index for Boston-Brockton-Nashua (from November to November of the year preceding the effective date of the pay range adjustment). If an employee's merit increase exceeds the pay range, the employee shall be entitled to an amount not to exceed two percent (2%) above the then top range. Any amount due that exceeds the top of the pay range, shall be paid in a lump sum amount in the first pay period in December and shall not become part of the base wages.

Salary Range 2017-2018

	Proposed	High
Position		
Elementary Principal	\$ 81,000	\$ 105,000
Elementary Assistant Principal	\$ 66,000	\$ 86,000
Middle School Principal	\$ 100,000	\$ 111,000
Middle School Assistant Principal	\$ 74,000	\$ 100,000
High School Principal	\$ 103,000	\$ 114,000
High School Assistant Principal	\$ 74,000	\$ 101,271
Deputy Principal	\$ 88,000	\$ 98,000
Special Education Coordinator	\$ 68,000	\$ 93,000
Athletic Director	\$ 79,000	\$ 94,000
CTE Director	\$ 78,000	\$ 105,000
Curriculum Coordinator	\$ 63,500	\$ 99,000
Director of Student Services	\$ 91,000	\$ 102,000

7. Article VII.A—Health Insurance (pp. 10-11)

For FY 2018, 2019, and 2020, the Board agrees to pay 80% of the premium for the HMO-ABSOS 20/40 plan. Removes any support for the District to pay the deductible.

Attached Spreadsheet with cost items.

Non Cost Items

1. Article II. A –Duration (p.3)

Three year contract effective as of July 1, 2017 and continuing until and including June 30, 2020.

2. Article IV.A. 3—Sick Leave and Short Term Disability (pp. 4-5) (new)

Each covered individual appointed to a covered administrative position in the District after October 31, 2017 shall be entitled to fifteen (15) sick days per year with the right to accumulate this sick leave up to a maximum of fifty (50) days.

3. Article V.I—School Closing (p.8)

This allows administrators to work from home during a snow day if approved by the Superintendent.

**Rochester School Department
Administrator Salary Calculations**

	<u>Starting Salary</u>	<u>Increase</u>	<u>%</u>	<u>Merit</u>	<u>%</u>	<u>Total Salary</u>	<u>%</u>	<u>FICA</u>	<u>Health Ins</u>	<u>Dental</u>	<u>Total</u>	<u>% Increase</u>
<u>Based on a 2.5% merit plus an additional \$750 each and current health insurance rates at 80/20 split</u>												
Current						2,066,980.54		158,124.01	346,167.00	4,440.15	2,575,711.70	
FY2017-2018	2,066,980.54	18,750.00	0.9%	51,674.51	2.5%	2,137,405.05	3.4%	163,511.49	356,348.20	4,440.15	2,661,704.89	3.3%
FY2018-2019	2,137,405.05		0.0%	53,435.13	2.5%	2,190,840.18	2.5%	167,599.27	374,165.61	4,440.15	2,737,045.21	2.8%
FY2019-2020	2,190,840.18		0.0%	54,771.00	2.5%	2,245,611.18	2.5%	171,789.26	392,873.89	4,440.15	2,814,714.48	2.8%

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City Clerk's Office
