



**City Council Regular Meeting
June 6, 2023
Council Chambers
31 Wakefield Street
6:00 PM**

Agenda

1. Call to Order

Recess to Non-Public Meeting – Personnel, RSA 91-A:3, II (a)

Reconvene City Council Regular Meeting

2. Opening Prayer

3. Pledge of Allegiance

4. Roll Call

5. Acceptance of Minutes

5.1 Regular City Council Meeting: May 2, 2023 *consideration for approval* P. 7

6. Communications from the City Manager

6.1 City Manager's Report P. 55

7. Communications from the Mayor

8. Presentation of Petitions and Council Correspondence

9. Nominations, Appointments, Resignations, and Elections

**9.1 *Appointment:* Paul McNally – Supervisor of the Checklist, Ward 4
consideration for approval P. 83**

**9.2 *Resignation:* Whitney Apgar – Rochester Economic Development
Commission, Seat H *consideration for approval* P. 85**

10. Reports of Committees

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City Clerk's Office

- 10.1 Appointments Review Committee - *No May Meeting*
- 10.2 Codes & Ordinances Committee – *No May Meeting*
- 10.3 Community Development Committee – *No May Meeting*
- 10.4 Finance Committee – *No May Meeting*
- 10.5 Planning Board P. 87
- 10.6 Public Safety P. 97

10.6.1 **Committee Recommendation:** To install a 30 mph speed limit sign between 71 and 87 Lowell Street at the technical discretion of the DPW *consideration for approval* P. 98

10.6.2 **Committee Recommendation:** To install a streetlight on the pole near 53 Gear Road at the technical discretion of the DPW *consideration for approval* P. 98

10.6.3 **Committee Recommendation:** To install a “No Thru Street” sign on Crowhill by Copper Lane at the technical discretion of the DPW *consideration for approval* P. 98

10.6.4 **Committee Recommendation:** To install a “90 Degree Turn” sign with a “10 mph advisory” speed sign in both directions near the curve on Meadow Lane *consideration for approval* P. 99

- 10.7 Public Works P. 101

11.

Unfinished Business

11.1 Resolution for Supplemental Appropriation and Authorizing Borrowing Authority Pursuant to RSA 33:9 to the General Fund Capital Improvements Plan (CIP) Fund in the amount of \$1,181,343.00 *second reading and consideration for adoption* P. 127

11.2 Resolution for Supplemental Appropriation and Authorizing Borrowing Authority Pursuant to RSA 33:9 to the Tax Increment Finance (TIF) District Capital Improvements Plan (CIP) Fund in the amount of \$3,939,563.00 *second reading and consideration for adoption* P. 133

11.3 Resolution Approving Fiscal Year 2023-2024 Operating Budget for the City of Rochester *second reading and consideration for adoption* P. 139

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City Clerk's Office

- 11.4 Resolution Authorizing and Approving Fiscal Year 2023-2024 Capital Budget for the City of Rochester and Authorizing Borrowing in connection therewith *second reading and consideration for adoption* P. 143
- 11.5 Resolution Adopting a FY 2024 Rochester CDBG “Action Plan for the City of Rochester, N.H.” and Approving and Appropriating the FY 2024 Community Development Budget for the City of Rochester *second reading and consideration for adoption* P. 147
- 11.6 Amendment to Chapter 275 of the General Ordinances of the City of Rochester Regarding Charitable Gaming and Sports Book Retail Facilities *second reading and consideration for adoption* P. 153
- 12. Consent Calendar
- 13. New Business
 - 13.1 City of Rochester Dog Warrant (May 1, 2022 to April 30, 2023) *Motion to Send Warrant to the Police Department for Action*
 - 13.2 Resolution Authorizing the Acceptance of \$603.02 in Forfeiture Funds from the State of New Hampshire *first reading and consideration for adoption* P. 159
 - 13.3 Resolution Authorizing Acceptance and Appropriation of Victims of Crime Act (VOCA) Grant Award in an Amount of \$25,836.00 for Fiscal Year 2024 *first reading and consideration for adoption* P. 165
 - 13.4 Resolution Approving Cost Items Associated with Proposed City of Rochester Multi-Year Collective Bargaining Agreement with the International Brotherhood of Teamsters Local 633 of New Hampshire *first reading and consideration for adoption* P. 171
 - 13.5 Resolution Approving Cost Items Associated with Proposed City of Rochester Multi-Year Collective Bargaining Agreement with Local 863 of the American Federation of State, County and Municipal Employees *first reading and consideration for adoption* P. 189
- 14. Non-Meeting/Non-Public Session
 - 14.1. Non-Public Session – Land, RSA 91-A:3, II (d)
- 15. Adjournment

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City Clerk's Office

**Regular City Council Meeting
May 2, 2023
Council Chambers
6:00 PM**

COUNCILORS PRESENT

Councilor Beaudoin
Councilor Berlin
Councilor de Geofroy
Councilor Desrochers
Councilor Fontneau
Councilor Gilman
Councilor Hailey
*Councilor Hamann
Councilor Larochelle
Deputy Mayor Lachapelle
Mayor Callaghan

OTHERS PRESENT

Blaine Cox, City Manager
Katie Ambrose, Deputy City Manager
Terence O'Rourke, City Attorney
Peter Nourse, Director of City Services

COUNCILORS EXCUSED/ABSENT

Councilor Gray
Councilor Malone

Minutes

1. Call to Order

Mayor Callaghan called the Regular City Council meeting to order at 6:00 PM. He announced that *Councilor Hamann was connecting to the meeting remotely. He asked Councilor Hamann if was reasonably impractical for him to attend the meeting in person and for what reason (RSA 91-A,III a). Councilor Hamann confirmed this was true based on medical reasons. Mayor Callaghan asked if Councilor Hamann is alone in the room (RSA 91-A,III c). Councilor Hamann replied he was alone in the room at the moment; however, his wife is home and could enter the room at some point during the meeting.

2. Opening Prayer

Mayor Callaghan asked all to stand for a moment of silence.

3. Pledge of Allegiance

Mayor Callaghan asked Councilor Desrochers to lead the Pledge of

Allegiance.

4. Roll Call

Kelly Walters, City Clerk took the roll call attendance. The following Councilors were present in Council Chambers: Councilors Beaudoin, Berlin, de Geofroy, Desrochers, Fontneau, Gilman, Hainey, Deputy Mayor Lachapelle, and Mayor Callaghan. Councilor Hamann was connecting remotely via Microsoft Teams. Councilor Gray was excused from attendance and Councilor Malone was absent.

Recess to Non-Public Meeting – Personnel, RSA 91-A:3, II (a)

Mayor Callaghan entertained a motion to recess the meeting in order to enter a Non-Public Session. Councilor Lachapelle **MOVED** to Recess the Meeting at 6:03 PM and enter a Non-Public Meeting under RSA 91-A:3, II (a), Personnel. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote of 11 to 0 as follows: Councilors de Geofroy, Beaudoin, Hamann, Desrochers, Lachapelle, Berlin, Hainey, Larochelle, Gilman, Fontneau, and Mayor Callaghan voted in favor of the motion.

Reconvene City Council Regular Meeting

Mayor Callaghan reconvened the meeting at 6:12 PM. Councilor Lachapelle **MOVED** to Exit the Non-Public Meeting. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote as follow: Councilors Hainey, Gilman, Fontneau, Larochelle, de Geofroy, Desrochers, Berlin, Beaudoin, Hamann, Lachapelle, and Mayor Callaghan voted in favor of the motion.

Mayor Callaghan said if there are no objections the Agenda will be amended to take up action on Agenda Item 9-5 (9.1) prior to Agenda Item 5 on the Agenda. No objections were stated.

9.1 Resignation: Blaine Cox – City Manager consideration for approval

Councilor Lachapelle **MOVED** to **ACCEPT** the Resignation of Blaine Cox, City Manager, with regret. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote of 11 to 0 as follows: Councilors Berlin, Desrochers, Fontneau, Hamann, Hainey,

Lachapelle, Larochelle, Beaudoin, Gilman, de Geofroy, and Mayor Callaghan seconded the motion.

Mayor Callaghan appointed Katie Ambrose, Deputy City Manager, as the new City Manager effective July 3, 2023. Councilor Lachapelle seconded the appointment. The **MOTION** to **AFFIRM** the appointment **CARRIED** by a 10 to 1 roll call vote. Councilors Gilman, de Geofroy, Gilman, Hainey, Lachapelle, Fontneau, Hamann, Beaudoin, Desrochers, and Mayor Callaghan voted in favor of the appointment. Councilor Berlin voted against the appointment.

Mayor Callaghan read a statement thanking Blaine Cox for his 11 years of service to the City and welcoming Katie Ambrose as the new City Manager.

City Manager Cox thanked the Mayor for his comments. He gave a brief overview of the experience which Katie Ambrose brings to the City of Rochester and her qualifications. He congratulated Ms. Ambrose on her appointment as the next City Manager.

Ms. Ambrose addressed the City Council and thanked them for the opportunity to serve the City as the new City Manager.

5. Acceptance of Minutes

5.1 Regular City Council Meeting: April 4, 2023 *consideration for approval*

Councilor Lachapelle **MOVED** to **ACCEPT** the April 4, 2023, Regular City Council meeting minutes. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote as follows: Councilors Hamann, Desrochers, Gilman, Fontneau, Larochelle, de Geofroy, Berlin, Hainey, Lachapelle, Beaudoin, and Mayor Callaghan voted in favor of the motion.

5.2 Special City Council Meeting: April 18, 2023 *consideration for approval*

Councilor Lachapelle **MOVED** to **ACCEPT** the April 18, 2023, Special City Council meeting minutes. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous voice vote as follows: Councilors Desrochers, Hamann, de Geofroy, Beaudoin, Hainey, Lachapelle, Gilman, Fontneau, Larochelle, Berlin, and Mayor Callaghan voted in favor of the motion.

6. Communications from the City Manager

City Manager Cox asked Ms. Ambrose to address the City Council concerning the NEPBA Local 123 Collective Bargaining Agreement contract. Ms. Ambrose said due to on-going hiring challenges for the Police Dispatch, the City has entered some of the new components of the July 1st contract into a Memorandum of Agreement with NEPBA Local 123 to start now (May 7th). These components are the Training Officer Program, Salary Adjustments, Shift Differential Pay, along with Critical Shortage Pay. She added that these components would be funded through the current FY 23 budget.

City Manager Cox said he sent an email to the City Council regarding some Right-to-Know issues. He said the email explains that the City of Rochester is not obligated to send out documents to non-residents (out of State). He said non-citizens may make Right-to-Know request in person with the Legal Department during regular business hours. Terence O'Rourke, City Attorney, confirmed that the City Manager's comments about non-residents are correct and in fact the information comes directly from the newly created Right-to-Know Ombudsmen. He briefed the City Council about the position of Ombudsmen. He added that providing Right-to-Know request for "citizens only" has been a position that the NHMA (New Hampshire Municipal Association) has supported for years. Attorney O'Rourke gave a brief history of the Right-to-Know Law and some of the challenges to the Right-to-Know Law.

City Manager Cox informed the public that applications for property tax relief for low/moderately low incomes can be submitted no earlier than May 1st nor later than June 30th of each year. He said the guidelines can be found on the City's website.

City Manager Cox informed the public that a planned internet/phones outage is scheduled for the City Hall building this coming Wednesday and would only impact the internet/printers/phones at the City Hall building due to the installation of new internet access lines in the building.

Councilor Beaudoin asked if this outage would impact the City's website. City Manager Cox replied that it should not impact the City's website for anyone outside of City Hall.

6.1 City Manager's Report

Contracts and documents executed since last month:

- **Department of Public Works**
 - Sewer System Master Plan Engineering Agreement – Weston & Sampson
 - Tara Estates Meter Reading Agreement
 - Change Order #2, Rt 11 Pump Station – NE Earth Mechanics
 - Change Order #3, Rt 11 Pump Station – NE Earth Mechanics
 - Change Order #4, Rt 11 Pump Station – NE Earth Mechanics
 - Wallace St Ground Water Site NHDS Permit
 - Uniform Rental and Service Agreement – Cintas
 - Task Order, Evaluation of City-owned bridges – Hoyle Tanner
- **Economic Development**
 - FY22-FY23 CAP Weatherization – April 20
- **IT**
 - Telephone & Network Technology – City Hall Security Cameras
 - Printer Purchase, April 7
 - Printer Purchase, April 21
- **Recreation & Arena**
 - Rides Contract – Cushing Entertainment

The following standard report has been enclosed:

- Personnel Action Report Summary

7. Communications from the Mayor

Mayor Callaghan said the April 22nd Rochester Cares Cleanup Day was successful. He thanked all those involved.

7.1 Proclamation: Public Works Week May 21 – 27

Mayor Callaghan read a Proclamation and declared the week of May 21 – 27, Public Works Week in Rochester.

7.2 Proclamation: Municipal Clerk's Week April 30 – May 6

Mayor Callaghan read a Proclamation and declared the week of April 30 – May 6, Municipal Clerk's Week in the City of Rochester.

7.3 Discussion: Scheduling July City Council meeting

Mayor Callaghan announced that the July Regular City Council meeting falls on Independence Day. The City Council briefly discussed the matter. It was determined that the July 4, 2023 meeting would be postponed to the following week: July 11, 2023, starting at 6:00 PM.

8. Presentation of Petitions and Council Correspondence

No discussion.

9. Nominations, Appointments, Resignations, and Elections

**9.5. Resignation: Blaine Cox – City Manager
*consideration for approval***

This item was taken up prior to Agenda Item #5.

10. Budget Presentation: School Department O&M and CIP

Kyle Repucci, Superintendent of Schools informed the City Council that the School Department is presenting a budget for FY 24 which is 1.6 million below the Tax Cap.

Superintendent Repucci and David Totty, Director of Facilities, gave a lengthy PowerPoint presentation, and the following questions were asked:

Councilor Beaudoin stated many concerns about the SHS Band & Chorus Improvement Project. He inquired about the square footage of that area. Mr. Totty estimated the space to be approximately twelve thousand square feet. Mr. Totty explained that there is a concrete slab for the base flooring with a steam tunnel running underneath. He gave details of the original design which was meant to allow the flooring to expand/contract. He said about fifty years ago walls were constructed which restrict the floor from the normal process of shifting. He said that floor has finally failed, and it results in extreme bumps in the flooring. He summarized some specific efforts that were made to help resolve the issues; however, it has become a trip hazard. Mr. Totty gave details of the project and reasons why the project may not cost as much as the initial estimate. He said if the bid comes in lower than anticipated, then any remaining funding could not be used/transferred for another project.

Councilor Beaudoin had concerns about the MSMS Site-Work Safety Improvements Project estimated at \$80,000. He recalled that

\$200,000 had been approved for this project last year. Councilor Beaudoin said after visiting the site it seems no work has been done yet. He questioned how it could be known that another \$80,000 would be needed if the initial part of the project is incomplete. Mr. Totty confirmed the project is incomplete and the additional funding is being requested since liquid asphalt has increased in price by 61%. Mr. Totty added that it is important to have the funding in place to complete the project because there is only a short window (time) when this work can be done, and it would not be good to start the project and not have adequate funds for completion. Councilor Beaudoin asked if the funding for this project included resolving some of the parking issues in these areas. Mr. Totty replied yes, the goal is to work with other City Departments to ensure that the project results in resolving the parking issues as well.

Councilor Beaudoin stated concerns with the District Wide Roof Upgrades Project estimated at \$200,000. He gave figures associated with past roof repairs and asked if this was the end of the line for roof repairs. Mr. Totty said he has created a roof replacement spreadsheet to track the existing school building roofs, which includes the type, style, life expectancy of said roofs, and when they were installed. He explained how the process of utilizing CIP funds for roof repairs works and that older projects with remaining funds would not be included in the bond moving forward. He confirmed the three roofs identified that need attention. He could not recall any other roofs that may need to be repaired at this time. He added that the largest roof to be replaced would be for the high school, which is not due to be replaced for another ten years.

Councilor Beaudoin said the School Department has spent a little more than \$300,000 on playground equipment in the past six years. He asked if the playground project would be the last of the playground upgrades for the time being. Mr. Totty said the last playground upgraded was the William Allen School Playground, which cost about \$100,000. Mr. Totty said there is still some very outdated playground equipment around some of the schools, including the old metal monkey-bars, which can be dangerous. Mr. Totty did not see an end of funding request for playgrounds because the equipment lives outside in the elements and repairs need to be made for the safety of children.

Councilor Larochelle said many teacher positions were lost since the establishment of the Tax Cap; however, it does not seem many positions are being added back in this year. He questioned how this shortage has impacted teacher/student ratios and the impact on education. Superintendent Repucci said all the positions listed as being added were the result of the principals' needs from the various schools in the City. He

said COVID-19 and other matters have impacted our schools. He said it has necessitated some shifts in various areas. He spoke about the specific positions listed including guidance counselors.

Councilor Larochelle asked if the School Department is making more use of technology including solo courses online. Superintendent Repucci said students at the Middle School and High School do have that opportunity; however, the school's vision/mission in learning is more personalized learning, which does include flexible tools. He shared what this would look like in a typical classroom on a regular day of school.

Councilor Desrochers asked what the social worker/student ratio is for each school. Superintendent Repucci said there is not a social worker position for every school. He said, in fact, there will only be one social worker for the entire high school.

Mayor Callaghan said there is a CIP/Cash Item for \$25,000 - building security. He asked if there were any grants being utilized for building security. Mr. Totty confirmed that the School Department has made many upgrades to building security with grant projects; however, that practice has turned into a bit of a hodgepodge of various systems and when the various systems fail, the funding must be in place to resolve these issues if at all possible.

Councilor Desrochers asked if there are outstanding needs for building security which are not presented in the budget. Mr. Totty said there are always needs for cameras and access safety. He said every three years the schools have a safety review conducted by the State Department of Safety, Homeland Security, and the local Police and Fire Department. Mr. Totty summarized that building security needs are always present; however, the School Department is utilizing funds, while being fiscally responsible and keeping the students as safe as possible. Mr. Repucci said most recently a grant was utilized for the Middle School Entrance/Security replaced project.

Mayor Callaghan thanked both Superintendent Repucci and Mr. Totty for the School Budget Presentation.

11. Reports of Committees

11.1 Codes and Ordinances Committee

11.1.1 Committee Recommendation: Amendment to the Rules of Order section 4.21, changing #4

to "Roll Call of Councilors-Elect and Mayor-Elect" *consideration for approval*

Councilor Lachapelle **MOVED** to **AMEND** the Rules of Order section 4.21 by adding the wording *and Mayor Elect*". Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote of 11 to 0 as follows: Councilors Larochelle, Gilman, Berlin, Beaudoin, de Geofroy, Fontneau, Hamann, Lachapelle, Desrochers, Hainey, and Mayor Callaghan voted in favor of the motion.

11.1.2 Committee Recommendation: Amendment to the Rules of Order section 1.6 "Order of Business," changing #11. Old Business to "Unfinished Business." *consideration for approval*

Councilor Lachapelle **MOVED** to **AMEND** the Rules of Order section 1.6 "Order of Business," changing #11. ~~Old Business~~ to *"Unfinished Business."* Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote of 11 to 0 as follows: Councilors Lachapelle, Larochelle, Hainey, Desrochers, Gilman, Berlin, de Geofroy, Fontneau, Beaudoin, Hamann, and Mayor Callaghan voted in favor of the motion.

11.2 Community Development

11.2.1 Resolution Adopting a FY 2024 Rochester CDBG "Action Plan for the City of Rochester, N.H." and Approving and Appropriating the FY 2024 Community Development Budget for the City of Rochester *first reading and refer to public hearing 5/16/23* (Click [HERE](#) for full Annual Action Plan)

Mayor Callaghan read the resolution for a first time and referred the matter to a Public Hearing to be held on May 16, 2023.

RESOLUTION ADOPTING AN FY 2024 ROCHESTER CDBG "ACTION PLAN FOR THE CITY OF ROCHESTER, N.H." AND APPROVING AND APPROPRIATING THE FY 2024 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 FY 2024 (July 1, 2023—June 30, 2024) "Action Plan for the Community Development Block Grant (CDBG) Program 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 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 Twenty Nine Thousand Five Hundred Seventy Six Dollars (\$229,576.00) be, and hereby is, approved and appropriated for fiscal year 2024 (July 1, 2023—June 30, 2024). 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	\$ 45,915.00
Public Service Agencies	\$ 34,436.00
Housing/Public Facilities/Infrastructure	\$ 149,225.00
Total	\$ 229,576.00

III. Further, that Two Hundred Forty One Thousand Fifty Six Dollars and Eighteen Cents (\$241,056.18) in the Job Opportunity Benefit revolving loan fund loan fund, plus the principal and interest received monthly from existing loans' repayments, be appropriated for continued use in the FY 2024 Action Plan year in granting loans to qualified small businesses that commit to the creation and/or retention of jobs made available to low to moderate-income Rochester residents.

This budget and the one-year action plan for FY 2024 may be reconsidered if federal funding is changed or if it is inconsistent with the total FY 2024 budget adopted for the Office of Economic and Community Development.

The sums necessary to fund the above appropriation in the amount of Two Hundred Twenty Nine Thousand Five Hundred Seventy Six Dollars

(\$229,576.00) shall be drawn in their entirety from the above-mentioned FY 2024 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 the City Manager's designee in the Office of Economic and Community Development, is authorized to adjust 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.

11.3 Finance Committee

No discussion.

11.4 Planning Board

11.4.1 Amendments to Chapter 275 and Table 18 Regarding Charitable Gaming Facilities *first reading and refer to public hearing on 5/16/23*

Mayor Callaghan read the Amendment by title only and referred the matter to a Public Hearing on May 16, 2023:

Amendment to Chapter 275 of the General Ordinances of the City of Rochester Regarding Charitable Gaming and Sports Book Retail Facilities

THE CITY OF ROCHESTER ORDAINS:

That Chapter 275 of the General Ordinances of the City of Rochester and currently before the Rochester City Council, be amended as follows (deletions ~~struck out~~ additions in RED):

Chapter 275, Table 18, Use Table

ADD: Charitable Gaming Facility. Permitted in the Highway Commercial zone and allowed by Conditional Use in the Granite Ridge Zone.
Sports Betting Facility. Permitted in Highway Commercial and Granite Ridge Zones.

275-2.1 - Definitions

ADD: Charitable Gaming Facility: A charitable organization conducting games of chance as defined in RSA 287-D:4. The facility shall be licensed by the State of New Hampshire pursuant to RSA 287-D:7.

Sports Betting Facility: A facility licensed by the State of New Hampshire which conducts Sports wagering as authorized by RSA 287-I. Sports Betting facilities may include Sports Book Retail locations and Mobile Sports Wagering. Sports Betting is permitted only when colocated with Charitable Gaming Facilities.

275-20.2 Conditions for Particular Use

Charitable Gaming Facility. The Planning Board may approve the facility based on the following criteria in addition to standard requirements set by Zoning and Site Plan Regulations:

1. **Minimum Square footage.** The gaming floor of the facility, defined as the area within a gaming location authorized by the State of New Hampshire, shall have a minimum area of 20,000 square feet. The gaming floor does not include areas used for accounting, maintenance, surveillance, security, administrative offices, storage, cash or cash counting, and records.
2. **Public Art.** Public Art works to connect community with our built environment and support a sense of place and identity. With expansive parking and large-scale buildings required for Charitable Gaming Facilities, public artwork offers an opportunity to integrate the use with the community and maintain a high aesthetic value.

As part of the proposal, the applicant may consider integrating public art which serves to enhance community identity, this is not required but strongly encouraged. The Planning Board will review the amount of artwork in relation to the building façade and placement based on visibility from the public right of way. The applicant should consider utilizing public art as a design element of the proposal and engage local community and artists in the planning process, the Arts and Culture Commission may be a resource. Additional art may also be included into the site layout including but not limited to sculptures and other visible art within the parking lot, landscape islands and along walkways. Public art must meet the intent of the definition of a mural and not be considered a sign.

Within 5 years of Planning Board approval, the property owner may petition the City Council to accept an easement for the public art to help

provide adequate long-term maintenance. The easement will only be accepted if the public art proposal contributes to the public good and represents the values of the community, as determined by City Council.

3. Architectural standards. The following criteria is required in addition to standards set by Site Plan Regulations, Section 2 – Architecture.

- a. In order to achieve a building with human scale, broad expanses of blank walls are prohibited. The building shall employ massing, materials, textures and color. Consider using architectural features such as pilasters, arches, windows (transparent or opaque) as well as masses of different heights.
- b. A minimum of three colors/materials/textures shall be incorporated in the exterior design.

4. Parking and Traffic.

- a. Parking lot design shall incorporate bus parking and bus loading zones.
- b. Commercial loading areas shall be screened from the public right-of-way and abutting residential properties.
- c. A traffic impact analysis is required and must include the expectation of bus traffic.
- d. Bus and truck trailer parking is required to be screened from the public right-of-way and abutting residential properties for all uses of the property.
- e. Required off-street parking shall be provided at a ratio of not less than 0.75 parking spaces for each gaming position in addition to all standards set by Site Plan Regulations Section 10 – Parking and Circulation. Additional principle uses including restaurants, entertainment, and lodging facilities shall follow parking standards outlined in Site Plan Regulations.
- f. Two percent of required parking spaces must be equipped with Electric Vehicle Charging Stations with a minimum of four per site.

5. Additional principle uses to a site, including restaurants, entertainment, and lodging, shall follow requirements pursuant to Zoning Ordinance Regulations 275-19.2:L, Multiple Principle Uses.

6. Off Site Improvements. The developer is responsible for off-site improvements as specified by the Planning Board as per RSA 674-21.5:J.

7. Outdoor entertainment.

a. Outdoor events which exceed noise standards set by Zoning Ordinance Regulations 275-28.3 will require a special events permit.

b. The property owner has the burden of proof to show decibel ratings meet standards set by Zoning Ordinance Regulations 275-28.3 Noise.

c. The Zoning Board of Adjustment (ZBA) may grant a Special Exception for music and entertainment which exceed decibel limits subject to meeting appropriate conditions as per Zoning Ordinance Regulations 275-28.3 E(4)

8. Outdoor smoking and alcoholic beverage service areas shall be a minimum distance of 1000 feet from Schools, K-12 or Day Care establishments as defined in Zoning Ordinance Regulations 275-2.2.

9. Safety and security.

a. The facility is required to submit a safety and security plan subject to approval by the Rochester Fire and Police Departments. The plan shall outline all aspects of life safety to include emergency egress, access, site security, and occupancy limitations.

b. The facility shall provide an enclosed interior location, solely controlled by the Rochester Fire and Police Departments, which can sufficiently accommodate the requirements of First Responders.

c. One Automated External Defibrillator (AED) shall be mounted in an accessible public location for every 5000 square feet of gaming floor.

10. Landscaping. In addition to Site Plan Regulations, Section 5 – Landscaping; a Charitable Gaming Facility shall include:

a. A landscaping plan developed by a licensed landscape architect, to include a maintenance plan.

b. Landscaping used as a design element of the site.

- c. A 15-foot landscape buffer between any structure and parking area, with the exception of vehicle and pedestrian access ways.
- d. Parking areas shall meet Site Plan Regulations as per Section 5 – Landscaping (E) Parking Lots

Sports Betting Facility. Sports Betting Facilities are permitted only when collocated with Charitable Gaming Facilities.

Amendments take effect upon passage.

11.5 Public Safety

- 11.5.1 Committee Recommendation:** To install “deer crossing” signs on each end of Salmon Falls Road (one near Kinsale Drive and one Coming off Highland Street) at the technical discretion of the DPW *consideration for approval*

Councilor Lachapelle **MOVED** to **APPROVE** the Committee Recommendation: To install “deer crossing” signs on each end of Salmon Falls Road (one near Kinsale Drive and one Coming off Highland Street) at the technical discretion of the DPW. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote of 11 to 0 as follows: Councilor Hamann, de Geofroy, Beaudoin, Desrochers, Lachapelle, Gilman, Hainey, Fontneau, Larochelle, Berlin, and Mayor Callaghan voted in favor of the motion.

- 11.5.2 Committee Recommendation:** To install “No Thru Trucks” signs on Autumn Street *consideration for approval*

Councilor Lachapelle **MOVED** to **APPROVE** the Committee Recommendation: To install “No Thru Trucks” signs on Autumn Street. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a 9 to 2 roll call vote as follows: Councilors Larochelle, Hainey, Desrochers, Gilman, Lachapelle, de Geofroy, Fontneau, Hamann, and Mayor Callaghan voted in favor of the motion. Councilors Berlin and Beaudoin voted against the motion.

11.6 Public Works

- 11.6.1 Committee Recommendation:** To approve the Pavement moratorium at 165 Charles Street

consideration for approval

Councilor Lachapelle **MOVED** to **APPROVE** the Committee Recommendation: To approve the Pavement moratorium at 165 Charles Street. Councilor Larochelle seconded the motion.

Councilor Fontneau **MOVED** to **AMEND** the motion as follows: To Approve the **waiver** of the Pavement Moratorium at 165 Charles Street. Councilor de Geofroy seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote. Councilors Beaudoin, Hamann, Hainey, Desrochers, Lachapelle, de Geofroy, Berlin, Fontneau, Gilman, Larochelle, and Mayor Callaghan voted in favor of the motion.

Mayor Callaghan called for a vote on the motion to approve as amended. The **MOTION CARRIED** by a unanimous roll call vote. Councilor Fontneau, Larochelle, Hainey, Desrochers, de Geofroy, Berlin, Gilman, Beaudoin, Lachapelle, Hamann, and Mayor Callaghan voted in favor of the motion.

11.6.2 Committee Recommendation: To Complete the FY23 Paving List Recommended by DPW using the Highway Block Aid Funding *consideration for approval*

Councilor Lachapelle **MOVED** to **APPROVE** Committee Recommendation: To Complete the FY23 Paving List Recommended by DPW using the Highway Block Aid Funding. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote as follows: Councilors de Geofroy, Beaudoin, Hamann, Desrochers, Lachapelle, Berlin, Hainey, Larochelle, Gilman, Fontneau, and Mayor Callaghan voted in favor of the motion.

12. ~~Old Business~~ Unfinished Business

12.1 Amendment to the General Ordinances of the City of Rochester regarding Solar Energy *second reading and consideration for adoption* (See Addendum A)

Mayor Callaghan read the Amendment (See Addendum A)

Councilor Lachapelle **MOVED** to **ADOPT** the Amendment to the General Ordinances of the City of Rochester. Councilor Desrochers seconded the motion.

Councilor Beaudoin stated that he opposes the Amendment. He said there is a lack of restrictions placed on residential property owners from erecting these structures in the front yard of their property, which he says should only be allowed by a special exception (Zoning Board). He said the City would not allow a detached garage to be constructed in front of a homeowner's property, even if the structure met the setback requirements. He said requiring a special exception guarantees notifications to the neighbors who would be impacted by the sight of the structures. He said secondly, he did not believe the Planning Board should determine a plan of how to decommission any abandoned structures. He said the City Council should be responsible for ensuring the decommission plan is adequate.

Councilor Fontneau said Attorney Shannon questioned the need for the Planning Board to require the Conservation Commission approval in order to issue any conditional use permits. His understanding is this is true only for property within the Conservation Overlay District. Ryan O'Connor, Senior Planner, confirmed that this level of approval process is only for property within the Conservation Overlay District. Mr. O'Connor said that Attorney Shannon further requested that the approval process for conditional uses permits be expedited for solar projects; however, Mr. O'Connor stated that the Planning Department's recommendation is not to expedite that process. Mr. O'Connor added that the Conservation Commission would be giving a recommendation to the Planning Board for any approvals within the Conservation Commission District.

Councilor Desrochers gave kudos to the Planning Department for working on this solar energy ordinance, which is better for our environment and the children's future.

Councilor Fontneau understood some of the concerns brought up by Councilor Beaudoin regarding the proposed Solar Energy Ordinance. Councilor Fontneau said at least this ordinance establishes some sort of regulations to the use and installation of such structures; furthermore, the City Council could make potential adjustments/amendments to the ordinance in the near future.

Councilor Beaudoin asked if the City Council agreed to make a future amendment relative to placing restrictions on the placement of

these structures in front yards, in an R1 Zone. City Attorney O'Rourke said any amendment proposed this evening would stop the process of adoption and refer the change back to the Planning Board and Public Hearing; however, any future amendments (after officially adopted) could be initiated by the City Council and would be referred to the Planning Board.

Shanna Saunders, Director of Planning and Development, wished to clarify for the City Council that the installation of solar energy structures must meet setback requirements. Councilor de Geofroy added that the minimum lot size for solar panel use is 20,000 square feet for the R1/R2 Zones, which would address a lot of these concerns.

The **MOTION CARRIED** by a 10 to 1 roll call vote as follows: Councilors Hainey, Gilman, Fontneau, Larochelle, de Geofroy, Desrochers, Berlin, Hamann, Lachapelle, and Mayor Callaghan voted in favor of the motion. Councilor Beaudoin voted against the motion.

12.2 Resolution Authorizing Supplemental Appropriation in the Amount of \$590,000 for City Hall and Opera House Life Safety Building Upgrades *second reading and consideration for adoption*

Mayor Callaghan read the Resolution by title only as follows:

Resolution Authorizing Supplemental Appropriation in the amount of \$590,000.00 for City Hall and Opera House Life Safety Building Upgrades

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

That the Mayor and City Council of the City of Rochester hereby authorized a supplemental appropriation in the amount of Five Hundred Ninety Thousand Dollars (\$590,000.00) to cover the costs associated with the City Hall and Opera House life safety building upgrades project. The supplemental appropriation will be derived in its 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 establish and/or designate such multi-year, non-lapsing accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution.

Councilor Desrochers **MOVED** to **ADOPT** the Resolution. Councilor Lachapelle seconded the motion.

Councilor Beaudoin agreed that this is a life/safety issue, and the State has mandated that the upgrades must be completed; however, this is a \$600,000 project and it should have been included with the FY 24 Budget. He gave reasons why the timing of this project is causing an increase to the cost. He spoke against the pre-qualification process of the contractors because the technical work will be sub-contracted anyway. He suggested going back out to bid. He said lastly, at least \$150,000 of this work is to be completed for the Opera House and the current lease agreement clearly identifies that the Opera House is responsible for the upgrades in their space. He said the City has spent at least a million tax dollars over the years for the Opera House. He said they have purchased other buildings and seem to be financial stable at this point. He said the Opera House is an asset to the City of Rochester; however, the City should be following the lease agreement, which is in effect until 2026. He said it is a legally binding document.

Councilor Desrochers clarified that the pre-qualification of contractors was based on the removal of asbestos, which is a skilled labor. She disagreed that the work outlined should fall upon the tenant. Councilor de Geofroy agreed; however, he requested more detail about the work. City Manager Cox said the approach taken is that the City is responsible for the work because the City is the building owner and ultimately responsible for any life safety issues. Peter Nourse, Director of City Services, said staff did not delineate between the Opera House and City Hall because it is one City building.

Councilors Fontneau and Desrochers identified themselves as landlords and supported the City Manager's position on taking responsibility for life safety issues. Councilor Fontneau did mention that the Opera House has invested money into the seating, lighting, and floor.

Councilor Fontneau mentioned that there may have been a small savings by choosing another time for the project work to be completed. Councilor Desrochers said the timing of the project was in direct relation to the Opera House off-season, in order not to have a great impact on the activities of the Opera House in their busiest season (fall/winter).

Councilor Gilman asked why the project was not included with the budget. Mayor Callaghan confirmed that it was the timing of the project.

He said the bid and work needed to begin prior to July in order to avoid a greater impact on the Opera House operations.

Councilor Beaudoin reiterated that the Opera House is responsible for their portion of the building and falls under what is known as a "Triple Net Lease (NNN)". He said as it is, this is a very generous lease agreement, with heat and lights included. Mayor Callaghan mentioned that last year, the Opera House requested approximately \$180,000 for the Fly Wheel Replacement, a request which they have withdrawn and determined they would pay for by themselves.

The **MOTION CARRIED** by a 9 to 2 roll call vote as follows: Councilors Berlin, Desrochers, Fontneau, Hamann, Hainey, Lachapelle, Larochelle, de Geofroy, and Mayor Callaghan voted in favor of the motion. Councilors Beaudoin and Gilman voted against the motion.

13. Consent Calendar

Councilor Lachapelle **MOVED** to **ACCEPT** the Consent Calendar. Councilor Fontneau seconded the motion.

Councilor Hainey asked about the forthcoming supplemental appropriation for the Portland Street Area Reconstruction and Sidewalk Project. Mr. Nourse said \$200,000 was budgeted last year for the City's share of a grant (80/20 split) through the NHDOT Transportation Alternatives Program Project (TAP Grant) in regards to the Portland Street Sidewalk Project and has since been awarded the funding. He said at this point, the City must gross appropriate the project at 100% and de-authorizing the original \$200,000. He said there is a resolution to approve the entire project later this evening. *(The City's portion of the 20% will be funded through bond – Agenda Item 14.6)*

The **MOTION CARRIED** by a unanimous roll call vote as follows: Councilors Gilman, de Geofroy, Hainey, Larochelle, Berlin, Lachapelle, Fontneau, Hamann, Beaudoin, Desrochers, and Mayor Callaghan voted in favor of the motion.

13.1 Resolution Deauthorizing Account Related to the Portland Street Area Reconstruction and Sidewalk Project *first reading and consideration for adoption*

Resolution Deauthorizing Account Related to the Portland Street Area

Reconstruction & Sidewalk Project

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

That the following funds previously appropriated to the following
Account is hereby deauthorized:

<u>Account</u>	<u>Amount</u>
Portland St. Area Reconstruction & Sidewalk Account #15013010-771000-22535	\$200,000.00

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

**13.2 Resolution Deauthorizing Granite Ridge TIF
Accounts Related to Route 11 Capacity
Enhancement and Route 11 Safety and
Pedestrian Improvements Projects *first reading
and consideration for adoption***

**Resolution Deauthorizing Granite Ridge TIF Accounts Related
to Route 11 Capacity Enhancement and Route 11 Safety &
Pedestrian Improvement Projects.**

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

That the following funds previously appropriated to Granite Ridge TIF
Accounts hereby deauthorized:

<u>Account</u>	<u>Amount</u>
Rt 11 Capacity Enhancement Account #61083010-771000-23553	\$279,400.00
Rt 11 Safety & Pedestrian Improvement Account #61083010-771000-23554	\$249,600.00

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

14. New Business

14.1 Resolution Authorizing the Application for and Acceptance of a State of New Hampshire Department of Environmental Services (NHDES) Clean Water State Revolving Fund (CWSRF) Loan for the Sewer System Master Plan Project in an Amount of up to \$100,000.00 and Supplemental Appropriation in Connection Therewith *first reading and consideration for adoption*

Mayor Callaghan read the resolution for the first time as follows:

Resolution Authorizing the Application for and Acceptance of a State of New Hampshire Department of Environmental Services (NHDES) Clean Water State Revolving Fund (CWSRF) Loan for the Sewer System Master Plan Project in an Amount of up to \$100,000.00 and Supplemental Appropriation in Connection Therewith

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

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, authorize the Department of Public Works to submit a loan application in the amount of up to One Hundred Thousand Dollars (\$100,000.00) to the NHDES CWSRF Loan program in order to finance the Sewer System Master Plan Project.

It is further resolved that the Mayor and City Council of the City of Rochester, by adoption of this Resolution, accept the loan amount of up to One Hundred Thousand Dollars (\$100,000.00) from the NHDES CWSRF Loan program and make a supplemental appropriation to the General Fund CIP in the same amount with the entirety of the supplemental appropriation being derived from the NHDES CWSRF Loan.

Further, the Mayor and City Council of the City of Rochester, by adoption of this Resolution authorize the City Manager and/or the Finance Director to act as the City's representative(s) for the execution of all documents necessary to complete the application to the CWSRF, process disbursements and execute loan documents associated with CWSRF.

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.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote of 11 to 0 as follows: Councilors Hamann, Desrochers, Gilman, Fontneau, Larochelle, de Geofroy, Berlin, Hainey, Lachapelle, Beaudoin, and Mayor Callaghan voted in favor of the motion.

14.2 Resolution Authorizing Acceptance of a State of New Hampshire Highway Safety Traffic Enforcement Grant in the amount of \$8,600.00
first reading and consideration for acceptance

Mayor Callaghan read the resolution for the first time as follows:

Resolution Authorizing Acceptance of a State of New Hampshire Highway Safety Traffic Enforcement Grant in the amount of \$8,600.00

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

That the City of Rochester hereby accepts a State of New Hampshire Highway Safety Traffic Enforcement Grant in the amount of Eight Thousand Six Hundred Dollars (\$8,600.00) to pay for costs overtime enforcement patrols. The City is required to make a Twenty Five Percent (25%) in kind match of Two Thousand One Hundred Fifty Dollars (\$2,150.00) which will be derived, in whole, from the existing Police Department Operating Budget.

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

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor de Geofroy seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote of 11 to 0 as follows: Councilors Desrochers,

Hamann, de Geofroy, Beaudoin, Hainey, Lachapelle, Gilman, Fontneau, Larochele, Berlin, and Mayor Callaghan voted in favor of the motion.

**14.3 Resolution Approving Fiscal Year 2023-2024
Operating Budget for the City of Rochester *first
reading and refer to public hearing May 16, 2023***

Mayor Callaghan read the resolution for the first time and referred the matter to a Public Hearing to be held on May 16, 2023:

**Resolution Approving Fiscal Year 2023-2024 Operating Budget
for the City of Rochester**

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

That a twelve (12) month operating budget for the City of Rochester be, and hereby is, approved and appropriated for the period beginning July 1, 2023 and ending June 30, 2024 in the amounts and for the purposes more particularly set forth in the City of Rochester, Proposed Budget, Fiscal Year 2024 (July 1, 2023 - June 30, 2024), as amended, the provisions of which are incorporated herein by reference thereto by attached Exhibit A. (See Addendum B)

This budget may be reconsidered before the tax rate is set if City, School and/or County revenues are changed by the State of New Hampshire or by the Federal Government. The budget appropriations contained in this Resolution are predicated upon projected revenues as more particularly set forth in the City of Rochester, Proposed Budget, Fiscal Year 2024 (July 1, 2023 - June 30, 2024), as amended, the provisions of which are incorporated herein by reference thereto.

**14.4 Resolution Authorizing and Approving Fiscal
Year 2023-2024 Capital Budget for the City of
Rochester and Authorizing Borrowing in
connection therewith *first reading and refer to
public hearing May 16, 2023***

Mayor Callaghan read the resolution for the first time and referred the matter to a Public Hearing to be held on May 16, 2023:

**Resolution Authorizing and Approving Fiscal Year 2023-2024
Capital Budget for the City of Rochester and Authorizing
Borrowing in connection therewith**

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

That the capital budget for the City of Rochester for fiscal year 2023-2024 (July 1, 2023 to June 30, 2024) in the total amount specified in Exhibit A annexed hereto, be, and hereby is, authorized and appropriated, and, in accordance with the provisions of RSA 33:9, the City Treasurer, with the approval of the City Manager, is hereby authorized to arrange borrowing to finance a portion of said capital budget appropriation as identified on Exhibit A annexed hereto. (See *Addendum C*)

The aforementioned borrowing is authorized subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter. The useful lives of the capital projects for which borrowing is authorized by this resolution shall be more particularly set forth in the "City of Rochester, New Hampshire, Proposed CIP Budget, Fiscal Year 2024 (July 1, 2023 –June 30, 2024), as amended.

**14.5 Resolution Designating the City Manager and
Finance Director with the Authority to Execute
Documents Related to the Strafford Square
Roundabout *first reading and consideration for
adoption***

Mayor Callaghan read the resolution for the first time as follows:

**Resolution Designating the City Manager and Finance Director
with the Authority to Execute Documents Related to the
Strafford Square Roundabout Project**

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

The Mayor and City Council of the City of Rochester, by adoption of this Resolution authorize the City Manager and/or the Finance Director to act as the City's representative(s) for the execution of all documents necessary to complete the agreement with NHDOT for the project and to process all associate documentation.

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 Beaudoin seconded the motion.

Councilor Hainey asked if this motion had a financial aspect or if it is solely giving authority to execute documents. Mr. Nourse confirmed that it was establishing the authority to sign revised agreements with DOT and not to authorize any additional funds to the project. City Manager Cox recalled that it has not been done since 2005 with the prior City Manager Steele. Mr. Nourse agreed.

Councilor Desrochers asked if not having this authorization signed led to any delays in the project. Mr. Nourse replied no. Councilor Hamann recalled a start date of April 17th being posted near the job site; however, no activity has been done, which has caused his constituents to questions about the delay. Mr. Nourse said that he would follow up with the contractor.

Councilor Desrochers asked for clarification of the DOT's role in this project, for the public's sake. Mr. Nourse said this project has been in the making for over 20 years, and when the State is paying for any portion of a project, then the City is required to follow all of the State's requirements; this has added time to the project. He said the project has been redesigned twice in the last 20 years. He said the City also made a decision to add underground utilities. All of these things have added time to the project. He said the DOT is paying 80% of the road portion of the project, the total cost which is estimated at 2.5 million dollars. He said over the process of time, the cost of the project has escalated greatly. He gave an estimated completion date of December 2023.

Mayor Callaghan called for a vote on the motion. The **MOTION CARRIED** by a unanimous roll call vote of 11 to 0 as follows: Councilors Laroche, Gilman, Berlin, Beaudoin, de Geofroy, Fontneau, Hamann, Lachapelle, Desrochers, Hainey, and Mayor Callaghan voted in favor of the motion.

14.6 Resolution for Supplemental Appropriation and Authorizing Borrowing Authority Pursuant to RSA 33:9 to the General Fund Capital Improvements Plan (CIP) Fund in the amount of \$1,181,343.00 *first reading and refer to public hearing May 16, 2023*

Mayor Callaghan read the resolution for the first and referred the matter to a Public Hearing to be held on May 16, 2023:

Resolution for Supplemental Appropriation and Authorizing Borrowing Authority Pursuant to RSA 33:9 to the General Fund Capital Improvements Plan (CIP) Fund in the amount of \$1,181,343.00

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

That the Mayor and City Council of the City of Rochester hereby appropriate One Million One Hundred Eighty One Thousand Three Hundred Forty Three and 00/100 Dollars (\$1,181,343.00) to the General Fund CIP for the purpose of paying the costs associated with the Portland Street Sidewalk Project and the appropriation shall be divided amongst two (2) fund sources as follows: Nine Hundred Forty Five Seventy Three and 85/100 Dollars (\$945,073.85) from NH DOT and Two Hundred Thirty Six Thousand Two Hundred Sixty Eight and 46/100 Dollars (\$236,268.46) in borrowing/bonding.

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 Two Hundred Thirty Six Thousand Two Hundred Sixty Eight and 46/100 Dollars (\$236,268.46) through the issuance of bonds and/or notes, and/or through other legal form(s), 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.

Further, the Mayor and City Council of the City of Rochester, by adoption of this Resolution authorize the City Manager and/or the

Finance Director to act as the City's representative(s) for the execution of all documents necessary to complete the agreement with NHDOT for the project and to process all associate documentation.

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.

14.7 Resolution for Supplemental Appropriation and Authorizing Borrowing Authority Pursuant to RSA 33:9 to the Tax Increment Finance (TIF) District Capital Improvements Plan (CIP) Fund in the amount of \$3,939,563.00 *first reading and refer to public hearing May 16, 2023*

Mayor Callaghan read the resolution for the first time and refer the matter to a Public Hearing.

Resolution for Supplemental Appropriation and Authorizing Borrowing Authority Pursuant to RSA 33:9 to the Tax Increment Finance (TIF) District Capital Improvements Plan (CIP) Fund in the amount of \$3,939,563.00

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

That the Mayor and City Council of the City of Rochester hereby appropriate Three Million Nine Hundred Thirty Nine Thousand Five Hundred Sixty Three and 00/100 Dollars (\$3,939,563.00) to the Granite Ridge TIF CIP for the purpose of paying the costs associated with the Route 11 Highway Improvement Project and the appropriation shall be divided amongst two (2) fund sources as follows: Three Million One Hundred Fifty One Thousand Six Hundred Fifty and 40/100 Dollars (\$3,151,650.40) from NH DOT and Seven Hundred Eighty Seven Thousand Nine Hundred Twelve and 60/100 Dollars (\$787,912.60) in Tax Incremental Financing District borrowing/bonding.

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 Seven Hundred Eighty Seven Thousand Nine Hundred

Twelve and 60/100 Dollars (\$787,912.60) through the issuance of bonds and/or notes, and/or through other legal form(s), 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.

Further, the Mayor and City Council of the City of Rochester, by adoption of this Resolution authorize the City Manager and/or the Finance Director to act as the City's representative(s) for the execution of all documents necessary to complete the agreement with NHDOT for the project and to process all associate documentation.

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.

15 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 and consideration for adoption*

Mayor Callaghan read the resolution for a first time by title only (See Addendum D).

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor de Geofroy seconded the motion. The **MOTION CARRIED** by a 10 to 1 roll call vote. Councilors Lachapelle, Laroche, Hainey, Desrochers, Gilman, Berlin, de Geofroy, Fontneau, Hamann, and Mayor Callaghan voted in favor of the motion. Councilor Beaudoin voted against the motion.

16 Resolution Approving Cost Items Associated with Proposed City of Rochester Multi-Year Collective Bargaining Agreement with Rochester Municipal Management Group *first reading and consideration for adoption*

Mayor Callaghan read the resolution for a first time by title only (See Addendum E).

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a 10 to 1 roll call vote. Councilors Hamann, de Geofroy, Desrochers, Lachapelle, Gilman, Hainey, Fontneau, Larochelle, Berlin, and Mayor Callaghan voted in favor of the motion. Councilor Beaudoin voted against the motion.

17. Non-Meeting/Non-Public Session

17.1 Non-Public Session – Land, RSA 91-A:3, II (d)

Non-Public Session not needed.

18. Adjournment

Councilor Lachapelle **MOVED** to **ADJOURN** the Regular City Council Meeting at 7:31 PM. Councilor de Geofroy seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote of 11 to 0 as follows: Councilors Larochelle, Hainey, Desrochers, Gilman, Lachapelle, de Geofroy, Berlin, Fontneau, Beaudoin, Hamann, and Mayor Callaghan voted in favor of the motion.

Respectfully Submitted,

Kelly Walters, CMC
City Clerk

**Amendment to Chapter 275 of the General Ordinances of the
City of Rochester Regarding Solar Energy**

THE CITY OF ROCHESTER ORDAINS:

That Chapter 275 of the General Ordinances of the City of Rochester and currently before the Rochester City Council, be amended as follows (deletions ~~struck out~~ additions in **RED**):

275-2.2 Definitions

Ground Mount: A Solar Collection System and associated mounting hardware that is affixed to or placed upon the ground including but not limited to fixed, passive, or active tracking racking systems.

Rated Nameplate Capacity: Maximum rated alternating current (“AC”) output of solar collection system based on the design output of the solar system.

Roof Mount: A Solar Collection System that is on a roof of a building or structure, including limited accessory equipment associated with system which may be ground mounted.

Solar, Accessory Commercial: A Solar Collection System primarily for on-site commercial use and consisting of one or more ground mounted solar array(s) or a roof mounted Solar Collection System. Accessory Commercial Solar Systems are intended to primarily reduce on-site consumption of utility power with a rated nameplate capacity of 100kW AC or less.

Solar, Accessory Residential: A Solar Collection System primarily for on-site residential use consisting of a ground or a roof mounted Solar Collection System. Accessory Residential Solar Systems are intended to primarily reduce on-site consumption of utility power with a rated nameplate capacity of 25kW AC or less.

Solar, Accessory Industrial: A Solar Collection System primarily for on-site industrial use and consisting of one or more ground mounted solar array(s) or a roof mounted Solar Collection System. Accessory Industrial Solar Systems are intended to primarily reduce on-site consumption of utility power with a rated nameplate capacity of 100kW AC or less.

Solar, Commercial: A principle use of land that consists of one or more free-standing, ground mounted, or roof mounted Solar Collection Systems with a rated nameplate capacity of up to 1 MW AC.

Solar, Community: A principle use of land that consists of one or more free-standing, ground mounted, or roof mounted solar collection systems up to 250 kW AC.

Solar, Utility: A principle use of land that consists of one or more free-standing, ground mounted Solar Collection Systems larger than 1MW AC.

Solar Collection System: Includes all equipment required to harvest solar energy to generate and transmit generated energy to the point of interconnection electricity. The Solar Collection System includes storage devices, power conditioning equipment, transfer equipment, and parts related to the

functioning of those items. Solar Collection Systems include only equipment up to (the point of interconnection to the utility grid or site service point.

275 Attachment 4

Table 18-D “Industrial-Storage-Transport-Utility Uses”

Use Table												
	R1	R2	NMU	AG	DC	OC	GR	HC	GI	RI	HS	AS
Solar, Accessory Residential	P or E	P or E	P	P	P	P	P	P	P	P	P	P
Solar, Accessory Commercial	E	E	E	P	C	P	P	P	P	P	C	C
Solar, Accessory Industrial	E	E	E	P	C	P	P	P	P	P	C	C
Solar, Community	-	-	E	C	C	E	C	C	C	C	E	C
Solar, Commercial	-	-	-	E	-	E	C	C	C	C	E	E
Solar, Utility	-	-	-	E	-	E	E	E	E	E	E	E

275-23.2 .22 Solar Collection Systems (Standards for Specific Accessory Uses)

A. Solar Collection Systems in Residential One and Residential Two zones.

- 1) Free standing or ground mounted Accessory Residential Solar Collection Systems in Residential One and Residential Two zones require a minimum lot size of 20,000 square feet or a special exception.
- 2) Accessory Commercial Solar Collection Systems in Residential One and Residential Two zones require a special exception.

B. Height

- 1) Building or roof mounted solar equipment shall not exceed the maximum allowed height in any zoning district by more than ten (10) inches for pitched roofs and five (5) feet for systems mounted on flat roofs.
- 2) Ground or pole mounted Solar Collection System shall not exceed height restrictions for the zoning district which they are placed when oriented at maximum tilt.

- 3) Solar Collection Systems placed over parking areas or drive aisles require a minimum panel height of fourteen feet measured at maximum tilt and must be designed to allow for snow removal and treatment.

C. Setbacks

- 1) Solar Collection Systems shall be considered structures and comply with building setback requirements from lot lines for the entire system, including the panels. Tracking systems shall have the setback measured from the point and time where the array is closest to the lot line. No portion of a system may cross into the setback.
- 2) Roof or Building Mounted systems – The Solar Collection System shall not extend beyond the exterior perimeter of the building. Exterior piping or electrical connections not located at the rear of buildings shall be screened from the street to the extent practical as per Site Plan Regulations – Section 7.E(2) Utility Elements
- 3) No portion of equipment associated with a Solar Collection System (transformers, utility structures, or other axillary features) shall be permitted in the setback.

D. Visibility

- 1) Roof-mount or ground-mount Solar Collection Systems visible from the closest edge of any public right-of-way shall follow the aesthetic restrictions below:
 - a. Roof-mounted systems on pitched roofs that are visible from the nearest edge of the front right-of-way shall have the same finished pitch as the roof and be no more than ten inches above the roof.
 - b. Roof-mount systems on flat roofs that are visible from the nearest edge of the front right-of-way shall not be more than five feet above the finished roof exclusive of any rooftop equipment or mechanical screening system.
 - c. The use of reflectors to enhance solar production are prohibited.

E. Plan Approval

- 1) Applications that meet the design requirements of this ordinance for a Solar Collection System as an accessory use shall be granted administrative approval through submittal of applicable building permits and shall not require Planning Board review. Compliance with Building or Electric Code is required regardless of system size or capacity.
- 2) All Solar Collection System proposals must include a plot plan with horizontal scale and profile drawing with a vertical scale showing:

- a. The location of all System components on the building/structure or on the property for a ground-mount system;
 - b. Property lines, public rights-of-ways, and setbacks;
 - c. Lot size;
 - d. Point of interconnection;
 - e. Height of existing and proposed structures;
 - f. Equipment specifications and ratings.
- 3) All proposals under this Ordinance may be subject to special investigation and the review of documents under RSA 674:44-V.
 - 4) Accessory ground-mount Solar Collection Systems shall be exempt from stormwater management requirements provided the ground below the System is not compacted and vegetated.
 - 5) Solar Collection Systems requiring a Conditional Use Permit shall meet Base Criteria conditions set by 275-21.3 of the Zoning Ordinance.
 - 6) Solar Collection Systems requiring a Special Exception from the Zoning Board of Adjustment shall meet provisions identified under the Primary Use section of this chapter.

F. Expansion of Existing Solar Collection Systems

- 1) Additions to existing solar systems shall not be exempt from any requirement in this ordinance. Solar Collection System capacity is cumulative and will determine the level of review for each proposed expansion.
- 2) Any expansions shall meet the requirements outlined in the Solar Ordinance.

275-21.4.P Solar, Community & Solar Commercial Systems (Conditions for Particular uses)

A. Screening

- 1) Ground mounted Solar Collection Systems shall have perimeter fencing and/or vegetative screening as approved by the Planning Board. The use of vegetative screening is encouraged.

- 2) Perimeter fencing for the site shall not include barbed wire or woven wire designs without visual screening and shall preferably use wildlife-friendly fencing standards that include clearance at the bottom.

B. Glare

- 1) Significant glare shall be considered a nuisance as per Rochester Zoning Ordinance 275-28.2. D Performance Standards.
- 2) Applicants must demonstrate that the Solar Collection System design has reasonably considered and mitigated potential impacts of significant glare onto abutting structures and roadways. Mitigation may include angle of panels, anti-reflective panel coating or additional screening to minimize impacts.

C. Noise

- 1) Loud or disruptive noise shall be considered a nuisance as per Rochester Zoning Ordinance 275-28.3 Noise.
- 2) Noise levels at the property line shall be in accordance with the municipal noise ordinance.
- 3) Applicants must demonstrate that operation of the Solar Collection System will not exceed permissible noise levels at the property line. Mitigation measures may be required to achieve permissible noise levels.

D. Electric and Communication Lines

- 1) Power and communication lines between the Solar Collection System and the point of interconnection shall be buried underground.

E. Ground Cover

The following provisions shall apply to the clearing of existing vegetation and establishment of vegetated ground cover.

- 1) Preservation of trees and existing vegetation that will not impede or shade the functioning of the Solar Collection System is encouraged.
- 2) Applicants that propose a ground mounted Solar Collection Systems exceeding 30% lot coverage or 1 acre, whichever is greater shall submit a vegetative management plan prepared by a landscape architect or similarly qualified professional The plan shall identify:
 - a. The qualified professional(s) consulted or responsible for the plan.

- b. The mix of proposed perennial vegetation intended to prevent erosion, and manage run off. Vegetative cover should include a mix of native perennial grasses and wildflowers.
 - c. The management methods and schedules for how the vegetation will be managed (mowing, replacement, etc.).
- 3) The Solar Collection System shall be approved by the Planning Board prior to any site work or lot clearing.

F. Stormwater

- 1) Ground mounted Solar Collection Systems are subject to City standards for stormwater management, erosion and sediment control provisions, as well as any applicable State and Federal requirements.
- 2) If the Solar Collection System is less than 30% lot coverage or less than one acre shall be exempt from stormwater management requirements provided the ground below the System is not compacted and vegetated.
- 3) Ground mounted systems that require land clearing and grubbing of forested cover greater than 1 acre, shall at a minimum, submit a Stormwater Permit to the Department of Public Works.

G. Abandonment and Decommissioning

- 1) Solar Collection Systems shall be deemed to be abandoned by a municipal official as evidenced by the lack of system maintenance or operation discontinuance without prior written consent of the municipality (such as for reasons beyond the control of the owner/operator).
- 2) An abandoned system shall be removed, and the site restored with vegetative cover within 12 months of abandonment.

H. Submittal Requirements for Primary Use Solar Collection System

- 1) Primary Use Solar Collection Systems shall submit a Site Plan Application.
- 2) All Solar Collection Systems shall comply with applicable aspects of the Zoning Ordinance and Site Plan Regulations. Applications must address all requirements for Principle Use Solar Collection Systems as well as provide the following:
 - i. A plot plan with a horizontal scale and a profile drawing with a vertical scale showing the lot to include:
 - ii. Existing structures, property lines, setbacks, lot size, ROWs;

- iii. Land clearing or grading required for the installation and operation of the system;
 - iv. The location of all equipment to be installed on site including utility connection point(s) and equipment.
 - v. Equipment, except for utility connections, shall comply with required setbacks.
- 3) Equipment Specifications
 - i. All proposed equipment or specifications must be included with the application. Such information can be supplied via manufacturer's specifications.
- 4) Emergency Response Plan
 - i. Access to the site for emergency response shall be provided and detailed on the plan.
 - ii. A narrative or manual for municipal shall be provided to the Rochester Fire Department detailing response guidance and disconnection locations necessary for fire response.
- 5) Solar Collection Systems requiring a Conditional Use Permit shall meet Base Criteria conditions set by 275-21.3 of the Zoning Ordinance.
- 6) Solar Collection Systems requiring a Special Exception from the Zoning Board of Adjustment meet applicable criteria set 275-22.3 of our Zoning Ordinance and meet provisions identified under the Primary Use section of this chapter as well as applicable Site Plan Regulations.
- 7) All applicable State and Federal permitting associated with the Solar Energy System must be obtained prior to Building Permit issuance. Copies of the permits or confirmation of the approvals must be submitted to the Planning Department.
- 8) All proposals under this Ordinance may be subject to special investigation and the review of documents under RSA 674:44-V.

**275-22-3.L Solar, Community & Solar Commercial & Solar, Utility Systems
(Conditions for Particular uses)**

I. Screening

- 3) Ground mounted Solar Collection Systems shall have perimeter fencing and/or vegetative screening as approved by the Planning Board. The use of vegetative screening is encouraged.

- 4) Perimeter fencing for the site shall not include barbed wire or woven wire designs without visual screening and shall preferably use wildlife-friendly fencing standards that include clearance at the bottom.

J. Glare

- 1) Significant glare shall be considered a nuisance as per Rochester Zoning Ordinance 275-28.2. D Performance Standards.
- 2) Applicants must demonstrate that the Solar Collection System design has reasonably considered and mitigated potential impacts of significant glare onto abutting structures and roadways. Mitigation may include angle of panels, anti-reflective panel coating or additional screening to minimize impacts.

K. Noise

- 1) Loud or disruptive noise shall be considered a nuisance as per Rochester Zoning Ordinance 275-28.3 Noise.
- 2) Noise levels at the property line shall be in accordance with the municipal noise ordinance.
- 3) Applicants must demonstrate that operation of the Solar Collection System will not exceed permissible noise levels at the property line. Mitigation measures may be required to achieve permissible noise levels.

L. Electric and Communication Lines

- 1) Power and communication lines between the Solar Collection System and the point of interconnection shall be buried underground.

M. Ground Cover

The following provisions shall apply to the clearing of existing vegetation and establishment of vegetated ground cover.

- 4) Preservation of trees and existing vegetation that will not impede or shade the functioning of the Solar Collection System is encouraged.
- 5) Applicants that propose a ground mounted Solar Collection Systems exceeding 30% lot coverage or 1 acre, whichever is greater shall submit a vegetative management plan prepared by a landscape architect or similarly qualified professional The plan shall identify:
 - a. The qualified professional(s) consulted or responsible for the plan.

- b. The mix of proposed perennial vegetation intended to prevent erosion, and manage run off. Vegetative cover should include a mix of native perennial grasses and wildflowers.
 - c. The management methods and schedules for how the vegetation will be managed (mowing, replacement, etc.).
- 6) The Solar Collection System shall be approved by the Planning Board prior to any site work or lot clearing.

N. Stormwater

- 1) Ground mounted Solar Collection Systems are subject to City standards for stormwater management, erosion and sediment control provisions, as well as any applicable State and Federal requirements.
- 2) If the Solar Collection System is less than 30% lot coverage or less than one acre shall be exempt from stormwater management requirements provided the ground below the System is not compacted and vegetated.
- 3) Ground mounted systems that require land clearing and grubbing of forested cover greater than 1 acre, shall at a minimum, submit a Stormwater Permit to the Department of Public Works.

O. Abandonment and Decommissioning

- 1) Solar Collection Systems shall be deemed to be abandoned by a municipal official as evidenced by the lack of system maintenance or operation discontinuance without prior written consent of the municipality (such as for reasons beyond the control of the owner/operator).
- 2) An abandoned system shall be removed, and the site restored with vegetative cover within 12 months of abandonment.

P. Submittal Requirements for Primary Use Solar Collection System

- 1) Primary Use Solar Collection Systems shall submit a Site Plan Application.
- 2) All Solar Collection Systems shall comply with applicable aspects of the Zoning Ordinance and Site Plan Regulations. Applications must address all requirements for Principle Use Solar Collection Systems as well as provide the following:
 - i. A plot plan with a horizontal scale and a profile drawing with a vertical scale showing the lot to include:
 - ii. Existing structures, property lines, setbacks, lot size, ROWs;

- iii. Land clearing or grading required for the installation and operation of the system;
 - iv. The location of all equipment to be installed on site including utility connection point(s) and equipment.
 - v. Equipment, except for utility connections, shall comply with required setbacks.
- 3) Equipment Specifications
 - i. All proposed equipment or specifications must be included with the application. Such information can be supplied via manufacturer's specifications.
- 4) Emergency Response Plan
 - i. Access to the site for emergency response shall be provided and detailed on the plan.
 - ii. A narrative or manual for municipal shall be provided to the Rochester Fire Department detailing response guidance and disconnection locations necessary for fire response.
- 5) Solar Collection Systems requiring a Conditional Use Permit shall meet Base Criteria conditions set by 275-21.3 of the Zoning Ordinance.
- 6) Solar Collection Systems requiring a Special Exception from the Zoning Board of Adjustment meet applicable criteria set 275-22.3 of our Zoning Ordinance and meet provisions identified under the Primary Use section of this chapter as well as applicable Site Plan Regulations.
- 7) All applicable State and Federal permitting associated with the Solar Energy System must be obtained prior to Building Permit issuance. Copies of the permits or confirmation of the approvals must be submitted to the Planning Department.
- 8) All proposals under this Ordinance may be subject to special investigation and the review of documents under RSA 674:44-V.

Zoning Overlay District Section Amendments

275-11.4.B Aviation Overlay District Use Restrictions

Solar Collection Systems located within the Airport Overlay District or within approach zones of an airport must demonstrate compliance with applicable Federal Aviation Administration (FAA) regulations.

275-14.9.B (others shifted) Effect of Inclusion in Historic Overlay District

Solar Collection Systems within the Historic Overlay District must receive and document approval from the Historic District Commission in the permit application.

275-12.9.A.2 Conservation Overlay District Conditional Use Approvals

A. The following uses are allowed with a conditional use approval:

(1) Roads and other accessways; drainageways; pipelines, power lines and other transmission lines; docks, boat launches, and piers; domestic water wells (and associated ancillary pipes and equipment); and replacement septic tanks and leach fields.

(2) No portion of ground mounted Solar Collection Systems or associated vegetative clearing is permitted in the Conservation Overlay District without a Conditional Use Permit approval recommendation by the Conservation Commission to the Planning Board.

In addition, ~~where evidence is~~ shall be submitted that no alternative location is available on the property, ~~provided~~ and that all of the following conditions are found to exist:

- (a) The proposed construction is essential to the productive use of land not within the CO District.
- (b) Design and construction methods will be such as to minimize impact upon the wetlands and will include restoration of the site consistent with the permitted use.
- (c) There is no feasible alternative route on land controlled by the applicant that does not cross the CO District nor has less detrimental impact on the wetlands. Nothing in this section shall limit the applicant from exploring alternatives with abutting property owners.
- (d) Economic advantage is not the sole reason for the proposed location of the construction.
- (e) If clearing is required within the Conservation Overlay District to reduce shade and improve the function of a Solar Collection System, a vegetative management plan shall be submitted with a Conditional Use Permit.

The effective date of these amendments shall be upon passage.

PROPOSED 2023-2024 OPERATING BUDGET-EXHIBIT A

OPERATING BUDGET SUMMARY

Appropriations:		Proposed
City	\$	44,729,082
County Tax	\$	8,020,000
Overlay	\$	350,000
Estimated Veteran's Credits	\$	686,675
School	\$	73,043,706
School Federal Grants	\$	10,944,000
School Lunch	\$	1,900,000
School State Property Tax	\$	5,482,601
City Grants & Special Revenues	\$	165,000
Tax Incremental Financing Districts	\$	1,341,889
Water Fund	\$	7,544,084
Sewer Fund	\$	11,744,213
Arena Special Revenue Fund	\$	413,290
Community Center	\$	894,759
Sub Total	\$	167,259,299

Revenues:		
City	\$	15,786,607
Use of Fund Balance	\$	5,814,100
School Revenues	\$	34,087,400
School Federal Grants	\$	10,944,000
School Lunch	\$	1,900,000
City Grants and Donations	\$	165,000
Tax Incremental Financing Districts	\$	1,341,889
Water Fund	\$	7,544,084
Sewer Fund	\$	11,744,213
Arena Special Revenue Fund	\$	413,290
Community Center	\$	894,759
Amount to be Raised by Taxes *	\$	76,623,957
Sub Total	\$	167,259,299

*Amount to be Raised by Taxes: Categories

City	\$	23,478,375
Veterans Credits	\$	686,675
County	\$	8,020,000
School Local	\$	38,956,306
School State Education	\$	5,482,601
All Totals	\$	76,623,957

PROPOSED 2023-2024 CAPITAL BUDGETS-EXHIBIT A

CAPITAL BUDGET SUMMARY

Proposed Capital Appropriations:

City	\$ 15,728,023
School	\$ 2,732,000
Water Fund	\$ 7,497,500
Sewer Fund	\$ 7,639,500
Community Center	\$ 428,500
Total Appropriations	\$ 34,025,523

Source of Revenues

General Fund

Bonding and/or other Borrowing	\$ 10,997,750
Operating Budget	\$ 6,386,100
Grants	\$ 1,479,673
Other Sources	\$ 25,000
Subtotal General Fund Revenues	\$ 18,888,523

Enterprise Funds & Tax Incremental Financing Districts

Bonding and/or other Borrowing	\$ 13,475,000
Operating Budget	\$ 1,662,000
Grants	\$ -
Subtotal Enterprise Funds & Tax Incremental Financing Revenues	\$ 15,137,000

Total Revenues	\$ 34,025,523
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**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, 2023 to June 30, 2026, 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 March 23, 2023**, which includes a summary financial analysis of the annual costs of the contract to the City provided by the Superintendent of Schools, is hereby approved, including, specifically, the cost items associated therewith.

(Exhibit A)

% Change		6.8%	4.6%	4.7%
Benefits				
FICA/Medicare	\$ 172,964	\$ 184,719	\$ 193,305	\$ 202,472
Health Insurance	\$ 338,547	\$ 343,286	\$ 360,450	\$ 378,473
Opt Out				
Dental	\$ 4,342	\$ 4,407	\$ 4,628	\$ 4,859
Total Rollups	\$ 515,853	\$ 532,412	\$ 558,384	\$ 585,804
Dollar Change				
% Change		3.2%	4.9%	4.9%
Totals				
Total Wages Benefits and Rollups	\$2,776,826	\$2,947,046	\$3,085,253	\$3,232,498
Dollar Change		\$ 170,220	\$ 138,207	\$ 147,245
% Change		6.1%	4.7%	4.8%

24 Total Employees

~~ READ TO A CHILD 20 MINUTES A DAY ~~

**RESOLUTION APPROVING COST ITEMS ASSOCIATED WITH
PROPOSED
CITY OF ROCHESTER
MULTI-YEAR COLLECTIVE BARGAINING
AGREEMENT WITH
ROCHESTER MUNICIPAL
MANAGEMENT GROUP**

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 cost items associated with the multi-year year collective bargaining agreement between the City of Rochester and the ROCHESTER MUNICIPAL MANAGEMENT (RMUN) Bargaining Unit, covering the period July 1, 2023 to June 30, 2026, as set forth in the proposed contract, and as more particularly detailed on the attached "**EXHIBIT A: RMUN – JULY 2023**," which includes a summary financial analysis of the annual costs of the contract to the City provided by the Rochester Director of Finance, is hereby approved. The provision of funds necessary to fund the aforementioned, and hereby approved, collective bargaining agreement "cost items" in the first year of the agreement will be contained in the Fiscal Year 2024 operating budget of the City.

Rochester Municipal Management Group

City Health Contribution	80/20	80/20	80/20	80/20
	ABSOS 20/40	ABSOS 20/40	ABSOS 20/40	ABSOS 20/40
	RX 10/20/45	RX 10/20/45	RX 10/20/45	RX 10/20/45
Health Plan	DED \$1000/\$3000	DED \$1000/\$3000	DED \$1000/\$3000	DED \$1000/\$3000
Projected Health Increase		7.60%	6.00%	6.00%
	Current FY23	FY24	FY25	FY26
Wages				
Base Wage	\$1,306,107.33	\$1,388,103.81	\$1,465,871.30	\$1,544,653.48
Longevity	\$5,825.00	\$6,075.00	\$6,400.00	\$6,400.00
Total Wages	\$1,311,932.33	\$1,394,178.81	\$1,472,271.30	\$1,551,053.48
Dollar Change		\$82,246.48	\$78,092.49	\$78,782.18
% Change		6.27%	5.60%	5.35%
Benefits				
Medicare	\$19,023.02	\$20,215.59	\$21,347.93	\$22,490.28
Social Security	\$81,339.80	\$86,439.09	\$91,280.82	\$96,165.32
Health Insurance	\$165,854.38	\$178,460.18	\$189,167.80	\$200,517.86
Opt Out	\$4,800.00	\$4,800.00	\$4,800.00	\$4,800.00
Dental	\$3,450.00	\$3,450.00	\$3,450.00	\$3,450.00
Life Insurance	\$2,821.19	\$2,998.30	\$3,166.28	\$3,336.45
STD Disability Insurance	\$7,052.98	\$7,495.76	\$7,915.70	\$8,341.13
LTD Disability Insurance	\$10,187.64	\$10,827.21	\$11,433.80	\$12,048.30
Total Benefits & Rollups	\$294,529.01	\$314,686.14	\$332,562.33	\$351,149.33
Dollar Change		\$20,157.13	\$17,876.19	\$18,587.00
% Change		6.84%	5.68%	5.59%
Totals				
Total Wages, Benefits & Rollups	\$1,606,461.34	\$1,708,864.95	\$1,804,833.63	\$1,902,202.81
Dollar Change		\$102,403.61	\$95,968.68	\$97,369.18
% Change		6.37%	5.62%	5.39%

14 Total Employees - 100% FT

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City Clerk's Office



City of Rochester, New Hampshire
 OFFICE OF THE CITY MANAGER
 31 Wakefield Street • Rochester, NH 03867
 (603) 332-1167
www.RochesterNH.gov

CITY MANAGER'S REPORT
May 2023

Contracts and documents executed since last month:

- **Department of Public Works**
 - Septage Facility Design Contract – Brown & Caldwell **P. 57**
 - Solar Interconnection Agreement, Comm. Center - Eversource **P. 58**
 - Design Amendment, Colonial Pines Sewer – Underwood Engineers **P. 59**
 - Change Order, Pavement/Highway Improvement Project **P. 60**
 - Change Order, Rt 202A Water Main – D&C Construction **P.61**
 - Task order amendment, 20" Transmission Main – Weston & Sampson **P. 62**
 - Task Order, WWTF Biosolids Dewatering – Brown & Caldwell **P. 63**
 - Compliance report for Admin. Order of Consent, NPDES Permit **P. 64**
 - Task order amendment, Eastern Ave sewer rehab – Weston & Sampson **P. 65**
 - Scope of Service, Emergency Generator, RMS Shelter – CSI Electrical **P. 66**
 - Notice to Proceed, City Hall/Opera House Remediation – Careno **P. 67**
 - Change order, Strafford Sq. Utility relocation – S.U.R. **P. 68**
 - Task Order, Traffic Impact Study – Hoyle, Tanner, and Assoc. **P. 69**
- **Economic Development**
 - FY22-FY23 CAP Weatherization – May 2 **P. 70**
 - FY22-FY23 CAP Weatherization – Elderberry Ln. **P. 71**
 - FY22-FY23 CAP Weatherization – Eagle Dr. **P. 72**
 - FY22-FY23 CAP Weatherization – Chestnut Hill **P. 73**
 - FY22-FY23 CAP Weatherization – Eastern Ave. **P. 74**
- **Finance**
 - Medical Coverage renewal – HealthTrust **P. 75**
 - Flexible Benefits Plan Agreement – HealthTrust **P. 76**
 - Statement of Work – Vision Government Solutions **P. 77**
 - Printer lease schedule – Canon Solutions America **P. 78**
- **Police Department**
 - Motorcycle lease – Seacoast Harley Davidson **P. 79**
- **Recreation & Arena**
 - Entertainment Contracts, Lilac Family Fun Festival **P. 80**
 - Software Agreement - RecDesk **P. 81**

The following standard report has been enclosed:

- Personnel Action Report Summary **P. 82**

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City Clerk's Office



City of Rochester, New Hampshire
PUBLIC WORKS DEPARTMENT
45 Old Dover Road • Rochester, NH 03867
(603) 332-4096
www.RochesterNH.net

06/01/2023



INTEROFFICE MEMORANDUM

TO: BLAINE COX, CITY MANAGER
KATIE AMBROSE, DEPUTY CITY MANAGER/DIRECTOR OF FINANCE & ADMIN

FROM: LISA J. CLARK, ADMINISTRATIVE SUPERVISOR

DATE: April 27, 2023

SUBJECT: Brown & Caldwell
Septage Receiving Facility Design
\$113,991.00

CC: Peter C. Nourse, PE, Director of City Services
Michael S. Bezanson, City Engineer

Attached please find (1) one copy of the proposed contract for Engineering Design Services for the final design of the Septage Receiving Facility Upgrade project at the WWTF. This contract is between the City of Rochester and Brown and Caldwell for engineering design services in the amount of \$113,991.00. Brown and Caldwell was selected through the qualifications-based solicitation for on-call engineering services per RFQ 21-19. Funds are available for this contract in the following Sewer CIP account:

55026020-772000-20558

If you have any question, please call, if not please pass on to the City Manager for signature. Please return document to me at the DPW for Distribution

(Katie Ambrose, Deputy City Manager/ Director of Finance & Administration)



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

INTEROFFICE MEMORANDUM

TO: Blaine Cox, City Manager

FROM: Peter C. Nourse, Director of City Services

DATE: 01 May 2023

SUBJECT: Eversource Solar Interconnection Agreement – Community Center Solar Array \$1,500

CC: Katie Ambrose, Deputy City Manager
Terence O'Rourke, City Attorney

Please see attached Eversource Solar Interconnection Agreement for your signature. Eversource has reviewed the City's proposed installation of a 160 kW AC solar photovoltaic array onto a portion of the Community Center roof. Eversource has completed a study to determine impacts to their network and any required upgrades to accommodate the new array. Eversource has found that no capital upgrades are required. There is a modest \$1500 management fee for interconnection.

The Community Center roof will be replaced this summer and Revision estimates that this array will likely be installed Spring 2024. The array will power approximately ¼ of the Community Center's energy needs.

This agreement has been reviewed by the City Attorney.

Funding is available under:

6070572-543000 Community Center Repair and Maintenance

Kathryn Ambrose

Enclosure:

1. Eversource Solar Interconnection Agreement D1341



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

INTEROFFICE MEMORANDUM

TO: Blaine Cox, City Manager
FROM: Peter C. Nourse, Director of City Services
DATE: 03 May 2023
SUBJECT: Colonial Pines Sewering Project – Phase 4 Final Design Services,
Underwood Engineers; Amendment 1 \$155,200
CC: Katie Ambrose, Deputy City Manager

Please see attached for your signature the Underwood Engineers Amendment 1 of the Preliminary Design contract for final design services. This work will provide final design for the Phase 4, the final project phase. Design includes sewer and drainage infrastructure.

Amendment amount: \$155,200; split 70% sewer fund and 30% general fund.

Funding is available under:

General Highway 15013010-771000-21518

Sewer Fund 55026020-771000-20549

Should you have any questions please contact me.

Kathryn Ambrose

Enclosure:

1. Underwood Engineers Amendment 1 – Design Phase Engineering Services Contract



City of Rochester, New Hampshire

PUBLIC WORKS DEPARTMENT

209 Chestnut Hill Road • Rochester, NH 03867

(603) 332-4096

www.rochesternh.gov

INTEROFFICE MEMORANDUM

TO: Blaine Cox, City Manager
Katie Ambrose, Deputy City Manager/ Director of Finance & Administration

FROM: Lisa J. Clark, DPW Deputy Director Operations & Administration

DATE: May 11, 2023

SUBJECT: Pavement & Highway Improvement Project (#19-31)
Change Order No. 6
Amount \$483,723.40

CC: Peter Nourse, PE, Director of City Services
Timothy Goldthwaite

Attached is Change Order # 6 for the Pavement & Highway Improvement project for CM Signature on page 1. This change order documents the three additional streets approved by the City Council for paving using the SB401 funding received. The increased cost to the contract by this Change Order is \$483,723.40.

Funds are available in the following CIP Account:

- 15013010-771000-23578 = \$483,723.40

Katie - If you have any questions, please let me know. If not, please forward to the City Manager for signature. The signed of Change Order No. 6 should be returned to DPW for distribution. Thank you.

Signature _____

Katie Ambrose

Deputy City Manager/ Director of Finance & Administration

Attachment: Pavement & Highway Improvement, Change Order No. 6



City of Rochester, New Hampshire
PUBLIC WORKS DEPARTMENT
45 Old Dover Road • Rochester, NH 03867
(603) 332-4096
www.RochesterNH.net

06/01/2023



INTEROFFICE MEMORANDUM

TO: BLAINE COX, CITY MANAGER
KATIE AMBROSE, DEPUTY CITY MANAGER/DIRECTOR OF FINANCE & ADMIN

FROM: LISA J. CLARK, ADMINISTRATIVE SUPERVISOR

DATE: May 4, 2023

SUBJECT: D&C Construction Change Order #9
Rt 202A Water Main Extension & Water Storage Tank Design
Amount \$2,887.00

CC: Michael S. Bezanson, PE City Engineer
Peter C. Nourse, PE, Director of City Services
Timothy Goldthwaite, Assistant City Engineer

Attached please one copy of the D& C Construction Contract Change Order #9. This change is for additional costs outside the original construction contract. The specific cost is to relocate the previously installed water stub at the request of the homeowner. The relocation cost will be billed through the homeowner option program to the property owner. The relocation fees will ultimately result in less costs to the homeowner as there will be less construction costs incurred to run the private service from the new location.

The Funding available in the following CIP account appropriated for this project
55016010-771000-20635

If you have any question, please call, if not please pass on to the City Manager for signature. Please return document to me at the DPW for Distribution

(Katie Ambrose, Deputy City Manager/ Director of Finance & Administration)



City of Rochester, New Hampshire
PUBLIC WORKS DEPARTMENT
45 Old Dover Road • Rochester, NH 03867
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www.RochesterNH.net

06/01/2023



INTEROFFICE MEMORANDUM

TO: BLAINE COX, CITY MANAGER
KATIE AMBROSE, DEPUTY CITY MANAGER/DIRECTOR OF FINANCE & ADMIN

FROM: LISA J. CLARK, ADMINISTRATIVE SUPERVISOR

DATE: May 8, 2023

SUBJECT: Weston & Sampson – Task Order 22-01 Amend#1
20" Transmission Main – City ARPA Project
\$27,070.00

CC: Peter C. Nourse, PE, Director of City Services
Michael S. Bezanson, City Engineer

Attached please find (1) one copy of the proposed task order amendment for Weston & Sampson Engineers. The original executed task order included cost for the analysis of the pipe, design and bidding for the re-lining and repairs to the 20" transmission main. The initial analysis has determined that this pipe is in good condition and that relining is not necessary. This amendment to the original scope of services is for the cost of cleaning/pigging the line during the valve insertion part of the project. The cost increase from original scope of Service is \$27,070.00.

Weston & Sampson Engineers were selected through the qualifications-based solicitation for on-call engineering services per RFQ 21-19.

Funds are available for this contract in the following ARPA CIP account:
61396010-771000-22570

If you have any question, please call, if not please pass on to the City Manager for signature. Please return document to me at the DPW for Distribution

(Katie Ambrose, Deputy City Manager/ Director of Finance & Administration)



City of Rochester, New Hampshire
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45 Old Dover Road • Rochester, NH 03867
(603) 332-4096
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06/01/2023



INTEROFFICE MEMORANDUM

TO: **BLAINE COX, CITY MANAGER**
KATIE AMBROSE, DEPUTY CITY MANAGER/DIRECTOR OF FINANCE & ADMIN

FROM: **LISA J. CLARK, ADMINISTRATIVE SUPERVISOR**

DATE: May 16, 2023

SUBJECT: BC Engineers
WWTF Biosolids Dewatering Facility
Construction Phase Service Contract
Amount: \$250,000

CC: Peter C. Nourse, PE, Director of City Services

Attached please find (1) one copy of the Task Order for engineering construction phase services for the Biosolids Dewatering Facility Project at the Wastewater Treatment Facility (WWTF). This contract is between the City and Brown and Caldwell for construction administration services and for resident project representative and inspection services in the amount of 250,000.

Brown and Caldwell have been selected through the qualifications-based solicitation for on-call engineering services per RFQ 21-19.

Funds are available for this contract in the following Sewer Fund CIP account:

55026020-772000-23557

If you have any questions, please call, if not please pass on to the City Manager for signature. Please return document to me at the DPW for Distribution

(Katie Ambrose, Deputy City Manager/ Director of Finance & Administration)



City of Rochester, New Hampshire

PUBLIC WORKS DEPARTMENT

209 Chestnut Hill Road • Rochester, NH 03867

(603) 332-4096

www.rochesternh.gov

INTEROFFICE MEMORANDUM

TO: Blaine Cox, City Manager
Katie Ambrose, Deputy City Manager/ Director of Finance & Administration

FROM: Peter C. Nourse, Director of City Services

DATE: May 18, 2023

SUBJECT: **AOC related to NPDES Permit NHG58A001**
June 1, 2023 Compliance Report (12/1/2022-5/31/2023)

CC: Peter Nourse, PE, Director of City Services
Terence O'Rourke, City Attorney

Attached please find one (1) original of the City's June 1, 2023 Compliance Report for the City's Administrative Order on Consent (AOC) with USEPA related to the NPDES General Permit regulating nitrogen discharges from the WWTF (reporting period December 1, 2022 – May 31, 2023). This is the fifth compliance report for this AOC, for which compliance reports are due twice annually on June 1st and December 1st of each year.

This compliance report has been drafted with input from our engineering consultants and with the assistance of our environmental attorneys. Please sign the original document and return the Compliance Report to me at Public Works.

This Compliance Report will be submitted to both the EPA and NHDES (due date: June 1, 2023).

Please contact me with any questions. Thank you.

Attachment: AOC Compliance Report – June 1, 2023



City of Rochester, New Hampshire
PUBLIC WORKS DEPARTMENT
45 Old Dover Road • Rochester, NH 03867
(603) 332-4096
www.RochesterNH.net

06/01/2023



INTEROFFICE MEMORANDUM

TO: BLAINE COX, CITY MANAGER
KATIE AMBROSE, DEPUTY CITY MANAGER/DIRECTOR OF FINANCE & ADMIN

FROM: LISA J. CLARK, ADMINISTRATIVE SUPERVISOR

DATE: May 8, 2023

SUBJECT: Weston & Sampson –Task Order 2023-03
Eastern Avenue Sewer Rehabilitation Project
\$115,000

CC: Peter C. Nourse, PE, Director of City Services

Attached please find (1) one copy of the proposed task order amendment for Weston & Sampson Engineers. The Eastern Ave, Summer Street, and Walnut Street Sewer Systems were identified with Sewer System Master Plan CCTV inspections as areas in the City in need of immediate repair. This task order is for work associated with evaluation, design, and bidding of the Eastern Avenue Sewer and will include bid alternates for other similar scopes of work including Walnut and Summer Street Sewers and Ten Road and Cross Road Drainage. Weston & Sampson Engineers were selected through the qualifications-based solicitation for on-call engineering services per RFQ 21-19.

Funds are available for this contract in the following Sewer Fund CIP account:
55026020-771000-20550

If you have any questions, please call, if not please pass on to the City Manager for signature. Please return document to me at the DPW for Distribution

(Katie Ambrose, Deputy City Manager/ Director of Finance & Administration)



City of Rochester, New Hampshire
PUBLIC WORKS DEPARTMENT
45 Old Dover Road • Rochester, NH 03867
(603) 332-4096
www.RochesterNH.net

06/01/2023



INTEROFFICE MEMORANDUM

TO: BLAINE COX, CITY MANAGER
KATIE AMBROSE, DEPUTY CITY MANAGER/DIRECTOR OF FINANCE & ADMIN

FROM: LISA J. CLARK, ADMINISTRATIVE SUPERVISOR

DATE: May 8, 2023

SUBJECT: CSI Electrical
Emergency Generator Connection – Emg Shelter RMS
Design & Bid Documents
\$21,000.0

CC: Peter C. Nourse, PE, Director of City Services
Dennis Dube, Fire Chief
David Totty, School Dept Facilities

Attached please find (1) one copy of the scope of service for CSI Electrical Engineering for signature. This scope is for the work associated with the project for connection of the Emergency Generator for operations of the Emergency Shelter at the Rochester Middle School (RMS). See the attached approved waiver for the selection of CSI as the City's consultant on the project.

Funds are available for this contract in the following Gneral Fund CIP account:

15011090-772000-22527

If you have any questions, please call, if not please pass on to the City Manager for signature. Please return document to me at the DPW for Distribution

(Katie Ambrose, Deputy City Manager/ Director of Finance & Administration)



City of Rochester, New Hampshire
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06/01/2023



INTEROFFICE MEMORANDUM

TO: BLAINE COX, CITY MANAGER
KATIE AMBROSE, DEPUTY CITY MANAGER/DIRECTOR OF FINANCE & ADMIN

FROM: LISA J. CLARK, DEPUTY DIRECTOR OPERATIONS & ADMINISTRATION

DATE: May 23, 2023

SUBJECT: Careno Construction Company, LLC
City Hall & Opera House Remediation
Bid #23-32 \$555,500.00

CC: Peter C. Nourse, PE, Director of City Services

Attached for signature please find (1) one copy of the Careno Construction Company Notice to Proceed (NTP) and (1) copy of the construction contract documents. These documents are in regard to the Rochester City Hall and Opera House Egress Remediation Project per Bid 23-32.

The funds have been appropriated as of 5/2/2023 Req City Council Meeting and are available in the following account:

15013010-772000-23586

If you have any question, please call, if not please pass on to the City Manager for signature. Please return document to me at the DPW for Distribution

(Katie Ambrose, Deputy City Manager/ Director of Finance & Administration)



City of Rochester, New Hampshire
PUBLIC WORKS DEPARTMENT
45 Old Dover Road • Rochester, NH 03867
(603) 332-4096
www.RochesterNH.net

06/01/2023



INTEROFFICE MEMORANDUM

TO: BLAINE COX, CITY MANAGER
KATIE AMBROSE, DEPUTY CITY MANAGER/DIRECTOR OF FINANCE & ADMIN

FROM: LISA J. CLARK, DEPUTY DIRECTOR OPERATIONS & ADMINISTRATION

DATE: May 25, 2023

SUBJECT: SUR Construction – Construction Final Change Order #3
Strafford Square Utility Relocation Project Phase 1
Amount \$2,651.63

CC: Peter C. Nourse, PE, Director of City Services

Attached is Balancing Final Change Order No. 3 for the Strafford Square Utility Relocation project (Bid #21-35). This change order documents balancing pay item costs related to the overall project. This will result in a net contract increase in the amount of \$2,651.63.

The funds are available in the following General Fund Project CIP Account:

15013010-771000-23558

If you have any questions, please call, if not please pass on to the City Manager for signature. Please return document to me at the DPW for Distribution

(Katie Ambrose, Deputy City Manager/ Director of Finance & Administration)



City of Rochester, New Hampshire
PUBLIC WORKS DEPARTMENT
45 Old Dover Road • Rochester, NH 03867
(603) 332-4096
www.RochesterNH.net

06/01/2023



INTEROFFICE MEMORANDUM

TO: BLAINE COX, CITY MANAGER
KATIE AMBROSE, DEPUTY CITY MANAGER/DIRECTOR OF FINANCE & ADMIN

FROM: LISA J. CLARK, ADMINISTRATIVE SUPERVISOR

DATE: May 17, 2023

SUBJECT: Hoyle Tanner and Associates
105 Farmington Rd Traffic Impact Study Task Order #6
\$9,990.00

CC: Peter C. Nourse, PE, Director of City Services
Mark Sullivan, Deputy Finance Director

Attached for signature please find (1) one copy of the Hoyle Tanner Associates Task Order #6. This Task Order is to complete a traffic impact study/review for the 105 Farmington Road proposed car wash and convenience store with fueling facility.

Hoyle Tanner & Associates were selected for City of Rochester Capital Improvement Projects per RFQ 21-19.

The funding is available in the O&M Budget account:
11080050-533000

If you have any questions, please call, if not please pass on to the City Manager for signature. Please return document to me at the DPW for Distribution

(Katie Ambrose, Deputy City Manager/ Director of Finance & Administration)



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

INTEROFFICE MEMORANDUM

TO: Blaine Cox, City Manager

FROM: Kiersten Wright, Community Development Coordinator/Grants Manager

DATE: May 2, 2023

SUBJECT: FY 22- 23 CAP Weatherization Assistance Program- May 2, 2023

CC: Cassie Givara, Deputy City Clerk

Please see attached the environmental review statement for the Community Action Partnership of Strafford County's planned repair and maintenance activities for FY 2022-2023. As per 24 CFR 58, the City of Rochester is the responsible entity for conducting environmental reviews for the Rochester Housing Authority. The environmental review statement requires the signature of the City Manager as the City of Rochester authority.

The environmental review statement was prepared by the Community Development Coordinator with assistance from Community Action Partnership.

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



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

INTEROFFICE MEMORANDUM

TO: Blaine Cox, City Manager

FROM: Kiersten Wright, Community Development Coordinator/Grants Manager

DATE: May 3, 2023

SUBJECT: FY 22- 23 CAP Weatherization Assistance Program- Elderberry

CC: Cassie Givara, Deputy City Clerk

Please see attached the environmental review statement for the Community Action Partnership of Strafford County's planned repair and maintenance activities for FY 2022-2023. As per 24 CFR 58, the City of Rochester is the responsible entity for conducting environmental reviews for the Rochester Housing Authority. The environmental review statement requires the signature of the City Manager as the City of Rochester authority.

The environmental review statement was prepared by the Community Development Coordinator with assistance from Community Action Partnership.

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



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

INTEROFFICE MEMORANDUM

TO: Blaine Cox, City Manager

FROM: Kiersten Wright, Community Development Coordinator/Grants Manager

DATE: May 10, 2023

SUBJECT: FY 22- 23 CAP Weatherization Assistance Program- Eagle

CC: Cassie Givara, Deputy City Clerk

Please see attached the environmental review statement for the Community Action Partnership of Strafford County's planned repair and maintenance activities for FY 2022-2023. As per 24 CFR 58, the City of Rochester is the responsible entity for conducting environmental reviews for Strafford Community Action Partnership's Weatherization Program. The environmental review statement requires the signature of the City Manager as the City of Rochester authority.

The environmental review statement was prepared by the Community Development Coordinator with assistance from Community Action Partnership.

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



06/01/2023

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

INTEROFFICE MEMORANDUM

TO: Blaine Cox, City Manager

FROM: Kiersten Wright, Community Development Coordinator/Grants Manager

DATE: May 23, 2023

SUBJECT: FY 22- 23 CAP Weatherization Assistance Program- Chestnut Hill

CC: Cassie Givara, Deputy City Clerk

Please see attached the environmental review statement for the Community Action Partnership of Strafford County's planned repair and maintenance activities for FY 2022-2023. As per 24 CFR 58, the City of Rochester is the responsible entity for conducting environmental reviews for the Strafford Community Action Partnership Weatherization Program. The environmental review statement requires the signature of the City Manager as the City of Rochester authority.

The environmental review statement was prepared by the Community Development Coordinator with assistance from Community Action Partnership.

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



06/01/2023

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

INTEROFFICE MEMORANDUM

TO: Blaine Cox, City Manager

FROM: Kiersten Wright, Community Development Coordinator/Grants Manager

DATE: May 24, 2023

SUBJECT: FY 22- 23 CAP Weatherization Assistance Program- Eastern Ave

CC: Cassie Givara, Deputy City Clerk

Please see attached the environmental review statement for the Community Action Partnership of Strafford County's planned repair and maintenance activities for FY 2022-2023. As per 24 CFR 58, the City of Rochester is the responsible entity for conducting environmental reviews for the Strafford Community Action Partnership Weatherization Program. The environmental review statement requires the signature of the City Manager as the City of Rochester authority.

The environmental review statement was prepared by the Community Development Coordinator with assistance from Community Action Partnership.

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



City of Rochester, New Hampshire

Finance Office

31 Wakefield Street • Rochester, NH 03867-1917

(603) 335-7609 Fax (603) 332-7589

MEMO

TO: Blaine Cox

FROM: Katie Ambrose, Deputy City Manager/Director of Finance & Administration

DATE: April 28, 2023

RE: HealthTrust Medical Coverage Renewal Agreement

Attached please find the final Revisit rates and medical coverage renewal with HealthTrust for FY2024.

Feel free to let me know if you have any questions. If you concur, please sign and return to me for distribution.

Katie Ambrose

Deputy City Manager/Director of Finance & Administration

Enclosures: HealthTrust Medical Coverage Renewal Agreement



City of Rochester, New Hampshire

Finance Office

31 Wakefield Street • Rochester, NH 03867-1917

(603) 335-7609 Fax (603) 332-7589

MEMO

TO: Blaine Cox

FROM: Katie Ambrose, Deputy City Manager/Director of Finance & Administration

DATE: April 28, 2023

RE: Flexible Benefits Plan Adoption Agreement

Attached please find a section 125 adoption agreement with HealthTrust for the City's Flexible Benefits Plan, which reflects changes to employee contribution limits.

Feel free to let me know if you have any questions. If you concur, please sign and return to me for distribution.

Katie Ambrose

Deputy City Manager/Director of Finance & Administration

Enclosures: Flexible Benefits Plan Adoption Agreement



City of Rochester, New Hampshire

Finance Office

31 Wakefield Street • Rochester, NH 03867-1917

(603) 335-7609 Fax (603) 332-7589

MEMO

TO: Blaine Cox

FROM: Katie Ambrose, Deputy City Manager/Director of Finance & Administration

DATE: May 22, 2023

RE: Vision SOW \$550.0

Attached please find a Statement of Work with Vision Government Solutions to convert Rochester's current property record cards into PDF format. The \$550 will be expended out of Assessing's Software Maintenance/Licenses account 11050070-534003.

Feel free to let me know if you have any questions. If you concur, please sign and return to my attention for distribution.

Katie Ambrose

Deputy City Manager/Director of Finance & Administration

Enclosures: Statement of Work: PRC to PDF for Rochester, NH



City of Rochester, New Hampshire

Finance Office

31 Wakefield Street • Rochester, NH 03867-1917

(603) 335-7609 Fax (603) 332-7589

MEMO

TO: Blaine Cox

FROM: Katie Ambrose, Deputy City Manager/Director of Finance & Administration

DATE: May 24, 2023

RE: Canon Solutions America – Lease Schedule \$4,106/annually

Please see attached lease schedule for Canon Solutions America (CSA) for the purchase of a Canon image PROGRAF TM-305 Printer for the Annex Building. CSA was awarded the contract for MFD/Printers and IT has reviewed and approved of this printer.

The lease payment will be funded out of Building & Licensing and Planning's Lease Copier/Printers accounts 544500.

Feel free to let me know if you have any questions. If you concur, please sign and return to my attention for distribution.

Katie Ambrose

Deputy City Manager/Director of Finance & Administration

Enclosures: Canon Solutions America – Lease Schedule

06/01/2023



ROCHESTER POLICE DEPARTMENT

23 WAKEFIELD STREET
ROCHESTER NH, 03867-1933

BUSINESS (603) 330-7127
FAX (603) 330-7159
<https://police.rochesternh.gov>

"Dedication, Pride, Integrity"

POLICE COMMISSION

DEREK J. PETERS
Chairman
DAVID R. STEVENS
Vice-Chairman
DAVID E. WINSHIP, JR.
Commissioner

GARY M. BOUDREAU
Chief of Police

May 16, 2023



TO: Blaine Cox
City Manager

FROM: Gary M. Boudreau
Chief of Police

RE: Seacoast Harley Davidson Motorcycle Contract for FY24

Dear Mr. Cox:

The Police Department would like your approval to enter into the attached Motor Cycle Lease Agreement with Seacoast Harley Davidson for FY24 in the amount of \$3,300.00.

The attached form requires your signature. Thank you for your consideration. Please let me know if you need anything further from me in this regard.

Sincerely Yours,

Gary M. Boudreau
Chief of Police

5/25/2023

Finance Review

Date



06/01/2023

To: Blaine Cox, City Manager
Katie Ambrose, Deputy City Manager/Director of Finance & Administration

From: Lauren Krans, Director of Recreation & Arena

Date: May 15, 2023

CC: Sarah Ward, Admin. Asst. Recreation & Arena

RE: Entertainment Contract – Whiskey Bent & The Hell Hounds (\$500)
Entertainment Contract – Brad Marino Band (\$500)
Entertainment Contract – Sages Entertainment Magician (\$400)

Please find the attached contracts between the City of Rochester and Whiskey Bent & The Hell Hounds, Brad Marino Band and Sages Entertainment for the 2023 Lilac Family Fun Festival.

Funding for the July 2023 shows is available in the FY23 Recreation Special Event Fund-61364020-589028.

If you have any questions, please let me know. If not, please sign and submit to the City Manager for signature. This document should be returned to Lauren Krans for distribution.

(Katie Ambrose, Deputy City Manager/Director of Finance & Administration)



MEMO

TO: Blaine Cox, City Manager
Katie Ambrose, Deputy City Manager/Director of Finance & Administration
FROM: Lauren Krans, Director
CC: James Quinn, IT
DATE: 4/25/23
RE: RecDesk Recreation Software – Service Agreement \$6,300

Attached please find one copy of the service agreement with RecDesk and one copy of RecDesk's Cyber and Basic Liability Certificates of Insurance.

Funding is built into the Recreation & Arena O&M budget.

If you have any questions, please let me know. If not, please sign and pass on to the City Manager for signature. Please sign and return to Sarah Ward for distribution.

Signature _____
Katie Ambrose

DEPT	NAME	POSITION	# of Employees	FT	PT	SEASONAL/TEMP	NEW HIRE	REHIRE	RETIREMENT	SEPARATED	STEP (CBA)	COLA (CBA)	MERIT PAY ADJ	NU PAY ADJ	PAY ADJ	PROMOTION	OTHER	MISC. INFO
COMMUNICATIONS		COMMUNICATION SPECIALIST	7	X							X							
DPW	NANETTE BOWLEY	ADMINISTRATIVE ASSISTANT II	1	X			X											
DPW	TODD BRISARD	PT GROUNDS LABORER	1		X	X											X	HOURS INCREASE SUMMER
DPW	JOHN TIERNEY	MEDIUM EQUIPMENT OPERATOR	1	X			X											
DPW	MICHAEL BEZANSON	CITY ENGINEER	1	X						X								
DPW	TODD BRISARD	PT GROUNDS LABORER	1		X	X					X							
DPW	SEAN PEARCE	PLANT OPERATOR	1	X						X								
DPW	JOSHUA BEAL	PUMP STATION MAINTENANCE	1	X			X											
DPW	LILIANNA SULLIVAN	WTP INTERN	1		X	X	X											
FIRE	MATTHEW FULLER	FIREFIGHTER	1	X			X											
FIRE	SAMUEL JANELLE	FIREFIGHTER	1	X			X											
FIRE	JARROD WHEELER	DEPUTY FIRE CHIEF	1	X						X								
FIRE	KEN HOYT	FIRE LIEUTENANT	1	X												X		FIREFIGHTER TO FIRE LIEUTENANT
FIRE	DEVON PAGEAU	FIRE LIEUTENANT	1	X							X							
FIRE	JEREMY PODER	FIREFIGHTER	1	X						X								
IT	SONJA GONZALEZ	CHIEF INFORMATION OFFICER	1	X						X								
LEGAL	JENN MUTOLO	PARALEGAL/EXECUTIVE ASSISTANT	1	X									X					
PDW	PATRICK SBRIZZA	PT GROUNDS LABORER	1		X	X				X								
POLICE	JASON HARRIS	PATROL OFFICER	1	X			X											
POLICE	ZACHARY BERNSTEIN	PATROL OFFICER	1	X			X											
POLICE	NOAH MCCANN	PATROL OFFICER	1	X			X											
POLICE	RYAN BALL	PATROL OFFICER	1	X			X											
POLICE	MICHAEL MCQUADE	PAPERWORK SERVICES OFFICER	1		X												X	REFERRAL BONUS
POLICE	KATELYN MILLS	PATROL OFFICER	1	X													X	REFERRAL BONUS
POLICE	TODD PINKHAM	POLICE CAPTAIN	1	X											X			
POLICE	ANDREW SWANBERRY	POLICE CAPTAIN	1	X											X			
POLICE	ELIZABETH TURNER	POLICE LIEUTENANT	1	X											X			
POLICE	ERIC BABINE	PATROL PT HUD	1		X								X					
POLICE	RANDY SMITH	PATROL OFFICER	1	X				X										
POLICE	TINA DESJARDIN	PARKING ENFORCEMENT OFFICER	1		X						X							
POLICE	NICOLE KNOX	PATROL SERGEANT	1	X												X		PATROL OFFICER TO PATROL SERGEANT
RECREATION		VARIOUS	6			X				X								
RECREATION	ISABELLA SILVA	CAMP COUNSELOR	1			X		X										
RECREATION	KEELEY MCISAAC	CAMP COUNSELOR	1			X											X	SUPPORT STAFF 1 TO CAMP COUNSELOR
RECREATION	ADDISON FRENCH	LIFEGUARD	1			X											X	SUPPORT STAFF 1 TO LIFEGUARD
RECREATION	ETHAN KRAUSS	CAMP COUNSELOR	1			X		X										
RECREATION	HUNTER CAMIRE	HEAD LIFEGUARD	1			X											X	ARENA ATTENDANT TO HEAD LIFEGUARD
RECREATION	JACK LAMIE	LIFEGUARD	1			X	X											
RECREATION	SHANNON COLSON	HEAD LIFEGUARD	1			X		X										
RECREATION	NATHAN DEVINE	LIFEGUARD	1			X		X										
RECREATION	GANNON HUGHES	LIFEGUARD	1			X		X										
RECREATION	ANNABEL PROCHILLO	LIFEGUARD	1			X		X										
RECREATION	ROBERT GEE	AQUATIC PROGRAM SUPERVISOR	1			X									X			
RECREATION	EMELIA LAMIE	HEAD LIFEGUARD	1			X		X										
RECREATION	JAELYN WOODBURY	HEAD CAMP COUNSELOR	1			X		X										
RECREATION	KAIDEN ALLEN	LIFEGUARD	1			X	X											
RECREATION	KANDYCE EISENSTAT	LIFEGUARD	1			X	X											
RECREATION	STELLA MITROPOULOS	LIFEGUARD	1			X	X											
RECREATION	CAMERON BASTIEN	LIFEGUARD	1			X	X											



06/01/2023

RECEIVED

MAY 10 2023

CITY CLERK'S OFFICE
ROCHESTER

City of Rochester, New Hampshire
OFFICE OF THE CITY CLERK
31 Wakefield Street • Rochester, NH 03867
FAX (603) 509-1915 PHONE (603) 332-2130

**STATEMENT OF INTEREST
BOARD AND COMMISSION MEMBERSHIP**

POSITION DESIRED: SUPERVISOR OF THE CHECKLIST - WARD 4

NEW X RE-APPOINTMENT _____ REGULAR _____ ALTERNATE _____

NAME: PAUL McNALLY

STREET ADDRESS: 29 WASHINGTON STREET ROCHESTER NH

ZIP 03867

TELEPHONE:(H) _____ (W) 978 821 8246 E-MAIL MCNALLY.PAUL.M@GMAIL.COM

REGISTERED VOTER: (CIRCLE ONE) YES X NO _____ WARD 4

Statement of Interest/Experience/Background/Qualifications, Etc. (This section need not be completed, but any information provided will be given to all City Councilors and will be available for public inspection). (Additional sheets/information may be attached, if desired; please do not write on the back of this form.)

I TRAINED ON, AND ASSISTED WITH, THE SUPERVISOR ROLE
WITH PATTY DUNLAP IN NOVEMBER OF 2022. I FILLED
THE ROLE OF SUPERVISOR DUE TO PATTY'S ABSENCE IN
THE FEBRUARY WARD 4 SPECIAL ELECTION.

If this is an application for reappointment to a position, please list all training sessions you have attended relative to your appointed position.

I understand that: (1) this application will be presented to the Rochester City Council only for the position specified above and not for subsequent vacancies on the same board; (2) the Mayor and/or City Council may nominate someone who has not filed a similar application; and (3) this application will be available for public inspection.

I certify that I am 18 years of age or older: Paul McNally

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City Clerk's Office

06/01/2023



City of Rochester, New Hampshire
Office of Economic & Community Development
33 Wakefield Street, Rochester, NH 03867
(603) 335-7522, www.rochesterredc.com

May 15, 2023

Jennifer Marsh
Assistant Director of Economic Development
City of Rochester, NH
33 Wakefield Street
Rochester, NH 03867-1917

Dear Jenn, Mike and the REDC Board –

It is with regret that I write to inform you of my decision to resign from my position on the Rochester Economic Development Commission, effective July 1, 2023. The regularly scheduled June meeting will be my last meeting with the REDC.

My work commitments and soon-to-expand family have conflicting time requirements with the REDC. While I have greatly enjoyed serving on the REDC, I am a strong believer of requiring members to have regular attendance at meetings and with the combination of meeting times during regular work hours and with my upcoming maternity leave, I will not be able to attend the REDC meetings. It has been a pleasure serving on the REDC and I look forward to seeing what the Commission accomplishes in the future as a Rochester resident.

Thank you,

Whitney Appgar

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City Clerk's Office

City of Rochester Planning Board
Monday, May 15, 2023
City Hall Council Chambers
31 Wakefield Street, Rochester, NH 03867
(These minutes were approved on ***, 2023)

Members Present

Mark Collopy, *Chair*
Robert May, *Vice Chair*
Alan Dews
Keith Fitts
Matthew Richardson
Dave Walker
Michael McQuade
Peter Bruckner
Don Hamann

Members Absent

James Hayden, *excused*
Michael McQuade, *excused*

Alternate Members Present

Alexander de Geofroy
Rick Healey

Staff: Shanna B. Saunders, *Director of Planning & Development*
Ryan O'Connor, *Senior Planner*

(These are the legal minutes of the meeting and are in the format of an overview of the meeting. A recording of the meeting will be on file in the City Clerk's office for reference purposes. It may be copied for a fee.)

I. Call to Order

Chair, Mark Collopy called the meeting to order at 6:30 p.m.

II. Roll Call

Senior Planner, Ryan O'Connor conducted roll call.

III. Seating of Alternates

Mr. Collopy asked Mr. Rick Healey to vote in place of Mr. James Hayden.

IV. Communications from the Chair

Mr. Collopy stated that there are no communications to be passed from the Chair.

V. Approval of Minutes for

A. May 1, 2023

A motion was made by Mr. Walker to approve May 1, 2023 meeting minutes and seconded by Mr. Hamann. The motion carried unanimously.

VI. Opening Discussion/Comments

A. Public Comment

There were no comments from the public to discuss.

B. Discussion of general planning issues

There were no general planning issues to discuss.

VII. New Applications

- A. [Sig Sauer, 7 Amarosa Drive](#) (by Allen & Major Assoc./Brian Jones) Site plan, Conditional Use Permit, and Waives to add multiple building additions, update utility connections, enhance stormwater design & treatment, and tie into the municipal sewer system for the existing Sig Sauer facility. **Case # 205/210-1,2,6&32,33-I/HC-23 Public Hearing ACCEPTANCE/FINAL DECISION***

Brian Jones from Allen & Major Associates, as well as Jeff Chierepko and Rob Terrazzano from Sig Sauer presented the project. Mr. Chierepko gave a summarization of the investment and narrative of the proposed project. Mr. Jones stated that the current presentation is of Phase 1 and showed the Board the site plan of the Phase 1 changes. Mr. Jones stated that the Phased Master Site Plan was created to give the City a better understanding of what the site would look like and what it would require. Mr. Jones stated the various requirements that must take place such as land transfers, off-sites road improvements, right-of-way widening, and discontinuation of Amarosa Drive. Mr. Jones stated that there is no land transfer required for the Phase 1 plan. Mr. Jones stated that there would be a sewer easement required in this plan. Mr. Jones stated that Phase 1 includes a building addition and the utility work to support that building and that there is no need for additional parking per zoning requirements.

Mr. Jones gave an overview of the grading and drainage plans for the Phase 1 site plan. Mr. Jones stated that the space is currently pavement, and the building will be 27,000 square feet. Mr. Jones explained how the site will have water supplied to it and explained the current drainage plan for the site and how the drainage would be changed to accommodate the new building.

Mr. Jones stated that the applicant has submitted a Conditional Use Permit for work within the wetland buffer along the rear of the property. Mr. Jones stated that stormwater management system would be added to this location. Mr. Jones stated that the Conservation Commission voted unanimously for approval of the Conditional Use Permit. Mr. Jones stated that Phase 1 plans include stormwater upgrades for areas affected by Phase 1 building plans.

Mr. Collopy asked for clarification of future utility build outs and land swaps. Mr. Jones explained the plans for demolition of buildings in Phase 1 and the sewer plans for Phase 1 where an easement will be required.

Mr. Collopy asked what the future of the roundabout was. Mr. Jones stated that the plan for a roundabout would take place on Milton Road and would require a land exchange between Sig Sauer and the City of Rochester.

Mr. Collopy opened the Public Hearing.

Carolyn Stuart, 136 Milton Road, asked for clarification of the architectural drawings on the plan. Mrs. Stuart asked if a plan showed a median or another structure. Mrs. Saunders responded that this approval is meant for just the building addition in Phase 1. The plans contemplate conceptual future plans for the upgrade of Milton Road and the roundabout only. Mrs. Saunders stated that the space that Mrs. Stuart was pointing to is not in the current plan presentation.

Mrs. Stuart asked what the space was meant to be in the future. Mrs. Saunders responded that the space is a conceptual draft of a possible roundabout and that there are no details on the Phase 1 Plans in relation to Milton Road upgrades.

Mrs. Stuart stated that she understood and asked why the area was included in the plans. Mrs. Saunders stated that the City required the architect to show a little more than just Phase 1 to show what the full build out may look like in the future.

Mr. O'Connor stated that this approval is for a 27,700 sqft building addition to the rear of property, as well as, upgrades to stormwater and utility infrastructure. Mr. O'Connor stated that the facility is currently using on-site septic systems and will be moving to public sewer. Mr. O'Connor stated that the plans include a build out of future phases, but at this time, decisions are only being made for Phase 1. Mr. O'Connor stated that a waiver was requested for Chapter 218: Stormwater Management Design Standards for Redevelopment and that the waiver is supported by staff due to the Phase 2 Plans including Stormwater upgrades that meet Chapter 218 standards. Mr. O'Connor stated that a Conditional Use Permit was requested for impacts to the wetland buffer and was recommended, with conditions, by the Conservation Commission. Mr. O'Connor stated the Planning Department recommends the Planning Board considers this application complete.

A motion was made by Mr. Walker to accept the application as complete and seconded by Mr. Bruckner. The motion carried unanimously.

Mr. O'Connor reviewed the conditions in the staff report and stated that the Planning Department recommends the application to be approved by the Planning Board.

A motion was made by Mr. Walker to accept the waiver, and the CUP with conditions as cited. Seconded by Mr. Hamman.

Mr. May asked for clarification of the Chapter 218 Waiver. Mr. May asked if the situation on the ground would be better, worse, or the same that it is currently. Mr. O'Connor stated that conditions will be better in Phase 1 and better further with Phase 2 of the Site Plan.

The motion carried unanimously.

A motion was made by Mr. Walker to approve the application with conditions as cited. Seconded by Mr. Hamman.

Mr. Dews asked if the outlet structures could be moved back considering the grades and wetlands in the space. Mr. Jones responded that the outlet protection extends into the 50-foot

buffer and that the outlets are elevation driven and must connect to the contour. Mr. Jones stated that the elevation cannot be changed.

Mr. Dews asked if there could be silt fence placed to prevent anything from getting into the wetlands. Mr. Jones stated that there is a current barrier plan in place for that area, but that silt fence could be used instead.

Mr. Dews asked if there was information in the notes, or could information be added, that would keep Focal Point 1-A clear as the snow flies and builds. Mr. Jones stated that some snow is unavoidable, but that there could be signage put up stating for snow to not be placed there. Mr. Jones stated that a steel guardrail is included in the plans along the Focal Point area which would make it hard for snow to be placed there.

Mr. Dews asked if a standard condition was added to prevent snow storage within the wetland structures. Mrs. Saunders answered yes.

The motion carried unanimously.

An abutter stated he did not get a chance to speak. The Chairman re-opened the public hearing.

James Stuart, 136 Milton Road, stated that he's lived in the home close to 70 years. Mr. Stuart stated that he has not received notification from the town on the project updates and that he has not been asked about the traffic in the area. Mr. Collopy stated that the developers gave a presentation of Phase 1 of the Site Plan and then opened Public Hearing. Mr. Collopy stated that the current proposed plan for Phase 1 does not include any traffic or road changes.

Mr. Stuart asked for clarification of the Public Comment in the beginning of the Meeting's Agenda and the Public Hearing for the Project. Mrs. Saunders stated that the Public Comment was opened at the beginning, but that no one stood up to speak and Public Comment was closed. Mrs. Saunders explained that after Mr. Jones presented an overview of Sig Sauer's Phase 1 Plan, the Chair opened the public hearing for the public to speak regarding the project.

Mr. Stuart stated that he feels that many projects have occurred despite wetland presence. Mr. Stuart gave examples of his concerns regarding the placement of developments in wetland areas. Mr. Stuart asked who protects the wetlands and stated his concerns of protecting the wetlands.

VIII. Zoning and Site Plan Amendments

A. As-Builts

Mrs. Saunders gave an overview of the current application review processes and stated that there is not a current process for reviewing As-Builts and As-Built approval. Mrs. Saunders stated that the Planning Department has discussed the process, redefined and improved it, and made the process more collaborative in the last several months. Mrs. Saunders stated that the process is being presented to the Planning Board to review amendments that are needed to codify an As-Built Review process and an As-Built Application that is similar to the applications sent for Site Plans and Subdivisions.

Mrs. Saunders stated that there will be a more formal submission to the Planning Board, in the future, for approval of an As-Built application and Regulation update, but at this time, only input from the Planning Board Members is being requested. Mrs. Saunders stated that decisions made on this process are solely up to the Planning Board and do not need to be presented to the City Council.

Mr. O'Connor stated that this process would make sure that all departments and staff are on the same page. Mr. O'Connor stated that the As-Built process can be time sensitive due to the need for Certificate of Occupancy signoffs and release of Surety. Mr. O'Connor gave an overview of the As-Built importance and process for reviewing applications and stated that the applications list the State and Federal Permits that were part of an application. This is helpful to determine that those conditions have also been met. Mr. O'Connor stated that the process reviews that transfer of the Homeowner's Association in a Subdivision if applicable. This process has not been reviewed in the past, but reviewing will help to track the process and give confirmation to the landowners. Mr. O'Connor stated that the application included the site coverage conditions to be sure that they match Planning Board Approvals. Mr. O'Connor stated that the Department of Public Works reviews As-Built in great detail and that the application includes a submission checklist to help the reviewers know that they are getting everything on the plan that is required. Mr. O'Connor stated that this checklist would help shrink review times.

Mrs. Saunders stated that, at the next meeting, the Planning Department would present the changes to codify the As-Built process regulations and requirements.

Mr. May asked if there would be a fee associated with this application. Mrs. Saunders stated that this review is part of a larger review process. Mrs. Saunders stated, that after some research on processes and fees in other towns, it was found that the City of Rochester's fees are significantly lower than other City's through multiple applications. Mrs. Saunders stated that a fee for the application process is expected but is expected along with other fee changes in the Planning Department in a future date.

Mr. May asked if the fees would be brought before the City Council. Mrs. Saunders responded that a schedule of fees would be brought before the City Council.

Mr. May recommended that fees be increased slowly for applications.

B. Amenities

Mr. O'Connor gave an overview on amenities in developments. Mr. O'Connor gave examples of amenities that developments can include and asked for input from the Planning Board regarding amenity requirements in new developments.

Mr. Walker stated, depending on space allotted, a community garden be listed as a possible amenity.

Mr. de Geofroy stated that he supports Electric Vehicle charging, but that he would not recommend EV charging stations as an amenity option.

Mr. May stated that the amenities would be site specific and listing some now may not be beneficial. Mr. May stated that he believes that a focus on a conceptual review would be more beneficial. Mr. May asked that the Planning Department highlight amenities as an issue on an agenda and ideas for that specific site can be better offered by the Planning Board.

Mr. May stated his support on walking trails being included as a possible amenity.

Mr. Fitts stated that plans for amenities have changed in previous development applications and asked if requiring amenities would give the Planning Board an opportunity solidify amenities for new developments. Mrs. Saunders stated that there has been a concerted effort with developers to include open land and playgrounds, but playgrounds are slowly going away due to liability issues with developments. Mrs. Saunders stated that developments have concluded building without including amenities in the past and that mandating amenities would give the Planning Board the ability to require developments to include amenities that helped build a community.

Mr. O'Connor stated that maintenance is an important factor when decided amenity requirements so that the maintenance of amenities is not left to homeowners.

Mr. de Geofroy stated that dog parks be listed as a possible amenity for developments. Mrs. Saunders gave an example of a dog wash station that was included as an amenity in a current development.

Mrs. Saunders asked that the Planning Board send any additional ideas to staff, and that amendments and regulation changes would be brought up at a future meeting.

IX. Class VI Road Petition Denial

Mrs. Saunders handed out Class VI Road handout and fact sheet. Mrs. Saunders stated that applications have been presented for Class VI Roads and are becoming more frequent. Mrs. Saunders stated that the Class VI Road petition was brought up to the City Council, where the City Council passed on to the Planning Board for discussion. Mrs. Saunders provided a definition of a Class VI Road and what the Class VI Road means. Mrs. Saunders stated that a Class VI road is a city street that is not maintained by the city and that the public has the right to be on it and travel it, but at their own risk. Mrs. Saunders stated that there are special provisions for structures built on Class VI roads for emergency services' access. Mrs. Saunders stated that due to the lack of maintenance and restricted access, state statute has restricted building on them and states that towns and municipalities do not have to issue approvals on these roadways if the project could be a detriment to the community. Mrs. Saunders stated that the state statute information has been included in City of Rochester's local ordinance as, "The City of Rochester choses to restrict Class VI development to farming, forestry, and single-family home use". Mrs. Saunders stated that if any applicants come to the Planning Board for these types of roadways that they provide a liability statement that is recorded at the time of applying for a building permit.

Mrs. Saunders stated that a current proposed development, 60 Shaw Drive, is on a Class VI Road where the pavement stops and is not maintained by the City. Mrs. Saunders stated that the City Council approved the applicant, but wanted the Planning Board to look at the uses that are allowed, such as farming and forestry, to see if the Planning Board had thoughts on expanding those uses.

Mr. May stated his understanding of the Classes of the roads and asked for clarification of public versus private roads. Mrs. Saunders stated that the Class system only relates to public roads.

Mr. Walker asked what the Planning Department was looking for at this meeting. Mrs. Saunders responded that she wanted all members to be thinking of what a Class VI Road is and understand that currently only Single-Family, Farming, and Forestry uses are allowed on Class VI Roads and that the Planning Department requires the liability waiver.

Mrs. Saunders stated that legal counsel is going to explain what an expansion of those uses could mean for the City of Rochester. Mrs. Saunders stated that the City Council has asked the Planning Board to consider and weigh benefits and risks of expanding allowed used on Class VI Roads and report recommendations to the City Council. Mrs. Saunders stated that no decisions are to be made

at the current meeting, but that Planning Board members should think about the expansion of uses on Class VI Roads and bring their opinions and information to a future meeting.

Mr. Walker stated that he felt commercial uses should not be permitted to use Class VI Roads due to the liability concerns and need for access to emergency services. Mr. Walker also stated that employees would be required to take roads to commercial sites and roads maintained by the City would be safer for those individuals.

Mr. Richardson asked for clarification on the expansion of uses. Mr. Richardson asked if this decision would be reviewed case-by-case or as a standardized requirement across the board. Mrs. Saunders stated that if the Planning Board decided use on a case-by-case, then specific criteria would need to be listed as a requirement for applicants to meet.

Mr. Walker stated his concerns with case-by-case decisions and stated that criteria should include if employees are required to travel the road, how often will the road be travelled, and if there is a need for emergency services to respond in an emergency event. Mr. Walker stated that he feels that if emergency vehicles are required to respond to the area, then the road must be upgraded.

Mr. Collopy asked if any maintenance of a Class VI road was done with approval of the City Council. Mrs. Saunders responded yes.

Mr. Collopy stated that if an applicant puts a development on a Class VI Road, that they are aware that the road will never be improved. Mrs. Saunders stated that was correct.

Mr. Dews asked about how often request for Class VI roads come through the Planning Department. Mr. Dews stated that creating a criterion for expanding uses on Class VI Roads could lead to bigger issues in the future. Mr. Dews stated that he feels that the City discourages developments on Class VI Roads. Mrs. Saunders stated that prior to 60 Shaw Drive, that a prior applicant was on Two Rod Road. Mrs. Saunders stated that the request was put in after State Statute, but before the ordinance and was approved.

Mr. de Geofroy asked for further clarification on the timing of this proposed change. Mrs. Saunders stated that there is a state case law on Class VI Roads and that she feels waiting for information from legal counsel would be beneficial. Mrs. Saunders stated that Class VI Roads are appearing more in applications as the buildable land in New Hampshire is dwindling.

Mr. Hamann stated his support in finalizing uses on Class VI Roads due to land becoming less and less available and Class VI Roads become increasingly important to people and developers. Mr. Hamann gave an example of a current Class VI Road and stated that he wants to be proactive in getting a decision in place, even if the decision is to review application on a case-by-case basis.

Mr. May stated that legal issues evolve and that he understands that Class VI Roads are still considered public roads. Mrs. Saunders stated that was correct.

Mr. May stated that he felt that some recreational uses may be an acceptable use of Class VI Roads.

Mr. Fitts asked for a list of Class VI Roads in the City of Rochester. Mrs. Saunders stated that the Planning Department would work on creating a list.

Mr. Healey stated that Two Rod Road was once considered non-existent, but was written on a deed as Two Rod Road. Mr. Healey stated that prior to that, the Tractor Supply Company was considering just having a driveway, with the address on Route 11. Mr. Healey stated that the difference between the Class VI Road on Two Rod Road and a Solar Farm is commercial retail, that because of the

Tractor Supply, there was a need to upgrade the road due to the number of people that would be driving the road. Mr. Healey stated that Amarosa Drive is also a Class VI Road that was build up to handle the larger trucks that frequent that road. Mr. Healey stated that the Solar Panels are commercial, but there is no retail and the only people to visit the site would be maintenance personnel.

Mr. Collopy asked about legal counsel availability. Mrs. Saunders stated that legal counsel would be present at one of the upcoming meetings.

Mrs. Saunders asked the Planning Board members to review the information and email her if they had any questions, so that they could be forwarded to legal counsel prior their appearance at a meeting in an effort for legal counsel to be prepared.

X. Review of Inspections and Surety for April 2023

Mrs. Saunders reviewed the Inspections and Surety for the month of April 2023. Mrs. Saunders stated that the Planning Department has been in contact with developers for Apple Ridge, Norway Plains, Village at Clark Brooke, and Lydall.

Mr. Walker asked if there was any movement on the listed projects. Mrs. Saunders stated that most of the projects have had movement.

Mr. Walker asked what projects were not moving forward. Mrs. Saunders responded that Lydall is proving to be difficult to pull together and that they were approved during COVID as a large expansion with several different permits. Mrs. Saunders stated that the Planning Department is still working with them to figure out how the permits all interact, so that they can be closed out and the Planning Department can figure out what has been completed and what has not.

Mr. Walker stated that the highlighted projects on the Surety Spreadsheet are coming up or are already overdue. Mrs. Saunders responded saying that was correct.

XI. Release of Surety

- A. Prep Partners Group LLC. Surety Release (100%) in the amount of \$320,409.13 for Site Plan to construct a 150,000 sqft warehouse and distribution facility located on Map 255 Lot 21

Mrs. Saunders gave an overview of the project and stated that the project is complete, and the Surety Release Request has been signed off by Planning and the Department of Public Works and is recommended for approval by the Planning Board.

A motion was made by Mr. Walker to release the remaining surety in the amount of \$320,409.13 with interest if applicable and seconded by Mr. Hamann. The motion carried unanimously.

- B. EIP Holdings I, LLC. Surety Release for Cell Tower Removal Bond (100%) in the amount of \$30,000.00. Located at 133 Blackwater Road, Map 257 Lot 24

A motion was made by Mr. Walker to release the remaining surety in the amount of \$30,000.00 with interest if applicable and seconded by Mr. Hamann.

Mr. May asked is the Surety Release was because of State Law. Mrs. Saunders stated that was correct.

The motion carried unanimously.

C. EIP Holdings I, LLC. Surety Release for Cell Tower Removal Bond (100%) in the amount of \$30,000.00. Located at 156A Lowell Street, Map 244 Lot 2-1

A motion was made by Mr. Walker to release the remaining surety in the amount of \$30,000.00 with interest if applicable and seconded by Mr. Hamann. The motion carried unanimously.

D. Real Estate Planners, Inc. Surety Release (100%) in the amount of \$195,723.47 plus interest for Site Plan to construct Phase II of Ledgeview located at Oak Street and Hansonville Road, Map 251 Lot 121

A motion was made by Mr. Walker to release the remaining surety in the amount of \$195,723.47 plus interest if applicable and seconded by Mr. Hamann. The motion carried unanimously.

XII. Other Business

A. Planning Update

Mrs. Saunders stated that as part of the grant money received for the rewrite of the Conservation Subdivision from the Housing Opportunity Grant, the Planning Department has three spaces at the Housing Academy that started this week. Mrs. Saunders stated that the Planning Department members that participated in the Academy will pass on information to the Planning Board.

Mr. O'Connor stated that he and Mr. Richardson were able to attend the initial virtual meeting that focused on an overview of the Academy and outreach plans to find out what the housing needs are for the City of Rochester. Mr. O'Connor stated that next meeting was this upcoming Wednesday, 5-17-2023.

Mrs. Saunders stated that the Planning Department continues to work on the two chapters of the Master Plan; the Natural Resources and Historic and Cultural Chapters. Mrs. Saunders stated that in an effort to introduce new and interesting activities the Planning Department is hosting a walk Wednesday, 5-17-2023, through downtown, as a joint meeting between the Historic District Commission and the Arts and Culture Commission. Mrs. Saunders stated that there would be a guest speaker present to give information on the historical architecture of the city and that the Arts and Culture Commission Chairwoman would speak to some of the Murals throughout the city.

Mr. May asked if the event was opened to the public. Mrs. Saunders stated that yes, the event was open to the public.

B. Other

There was no other business to discuss.

XIII. Adjournment

*A motion was made by Mr. Walker and seconded by Mr. Hamann to adjourn the meeting at 7:44pm.
The motion carried unanimously.*

Respectfully submitted,

Jaclyn Millard,
Administrative Assistant II

and

Shanna B. Saunders,
Director of Planning & Development

**Public Safety Committee
Draft Meeting Minutes
May 17, 2023
6:00 PM
Council Chambers**

Members Present

Councilor Peter Lachapelle, Chair
Councilor Alexander de Geofroy
Councilor Skip Gilman

Members Absent

Councilor Dana Berlin (excused)
Councilor Amy Malone

Others Present

Michael Bezanson, PE, City Engineer
Jarrod Norris, P.E. Assistant City Engineer
Gina Golden-Silvestro, GIS/AM Technician
Deputy Chief Jason Thomas, PD

Councilor Lachapelle brought the meeting to order at 6:00 PM.

1. Approve Minutes from Public Safety Meeting

Councilor Gilman MOVED to approve the minutes from April 19, 2023 Councilor de Geofroy seconded the motion. MOTION CARRIED by unanimous voice vote.

2. Public Input

There was no members of the public present for public input.

3. Salmon Falls Road Speed Limit Issue and Electronic Sign Placement (kept in committee)

Councilor Lachapelle summarized the issue. At last month's Public Safety Committee Meeting the Police Department submitted a list of streets that may warrant the electronic sign that is currently placed on Salmon Falls Road. One of the areas is on North Main Street by Poulin's heading into town. Councilor Lachapelle asked Deputy Chief Thomas if the sign might benefit being placed closer to town by the circle. Deputy Chief Thomas stated that the speed trailer was placed downtown from April 1st through May 16th 2023 on the square there was 112,345 vehicles with the average speed being 18.53 mph and the average speed 24.51. He said there doesn't seem to be a speeding issue there is always the perception that they maybe going faster. Mr. Bezanson said they are constructing the Strafford Square not sure how that will calm traffic getting around the the circle and that the 25 mph speed limit signs will be posted soon, not sure how they will help. Councilor de Geofroy stated if the data is not supporting speeding it could be distracting drivers and not paying attention to pedestrians trying to cross the road. Councilor Lachapelle asked Deputy Chief Thomas if the list was in order of importance, Deputy Chief Thomas said it was not. Councilor Lachapelle read the list of 8 streets aloud to the committee.

1. Whitehall Road before the Hospital
2. Portland Street area of Flower Street heading in to town
3. Washington Street coming into town before Lowes

4. Portland Street in East Rochester at the bottom of the hill by the East Rochester School
5. Ten Rod Road coming into town by Industrial Way
6. Eastern Avenue coming into town
7. Walnut Street by Twombly coming into town
8. North Main Street by Poulin's heading into town

Councilor Lachapelle said that the raise tables are still at the Public Works Committee, so he doesn't think they should make a decision tonight. Councilor de Geofroy asked if the police department had any accident data for these specific areas to see if the speed is contributing to accidents. **(kept in committee)**

4. Flashing Lights and Raised Table Policy Discussion

Councilor Lachapelle summarized the issue. Councilor Berlin was not in attendance and this is still in the Public Works Committee, Director of City Services Peter Nourse is looking into this. **(kept in committee)**

5. Quarry Drive Requesting Additional Speed Limit Sign

Councilor Lachapelle summarized the issue. Deputy Chief Thomas said that the speed trailer was placed on Lowell Street in the area where the speed limit sign was requested. March 29, through April 27, 2023 there was a total of 8,805 vehicles the average speed was 32.5 mph and the speed limit is 30 mph. Chief Thomas recalls the concern was vehicles travelling from Harding Street to Lowell Street. Mr. Bezanson could recommend an additional speed limit sign as it is a long stretch. Councilor Gilman suggested moving the sign down the street a little.

Councilor de Geofroy MOVED to recommend to full Council to install "30 mph" in the area Hillside Drive at the discretion of DPW Councilor Gilman seconded seconded the motion. Mr. Bezanson said the cut through traffic from Harding may go into this neighborhood. ***Councilor de Geofroy amended his motion to install 30 mph speed limit sign between the 2 Churches on Lowell Street at the discretion of DPW. Councilor Gilman seconded the motion. The MOTION CARRIED by unanimous voice vote.***

6. Street Light Request-53 Gear Road (kept in committee)

Councilor Lachapelle summarized the issue. He said that coming from 125 to Gear Road there is a series of lights then there is a gap by 53 Gear Road. Councilor Lachapelle stated it does meet the street light policy. **Councilor Lachapelle MOVED to recommend to full Council to install street-light on pole near 53 Gear Road at the discretion of DPW. Councilor de Geofroy seconded the motion. The MOTION CARRIED the motion.**

7. Crowhill Road-Requesting "Dead End" or "No Outlet" Sign (kept in committee)

Councilor Lachapelle summarized the issue. Mr. Bezanson checked to see what kind of sign would be appropriate because this is a class 6 road that the city maintains until the driveway. **Councilor Gilman MOVED to recommend to full council to install a "no thru street" sign on Crowhill by Copper Lane. Councilor de**

Geofroy seconded the motion. THE MOTION CARRIED by unanimous voice vote.

8. Meadow Lane-Requesting Warning Signs

Councilor Lachapelle summarized the issue. The request came in from the mayor for some sort of warning sign. Councilor Lachapelle said there was already a warning sign there. Mr. Bezanson did say there was a warning sign there, he stated he drove the area to see how bad the curve was and said you have to drive slow to maneuver the it. He also stated you can add an advisory speed sign there, he said it is not enforceable but it will warn people of the 90 degree curve and to slow down. Mr. Bezanson also said he spoke with an abutter near Meadow Lane and he said it is a problematic area if you do not know the area. The abutter also said he was ok with whatever sign the committee wanted to put up to help the area. The phase three construction is almost complete Mr. Bezanson was not sure if they would utilize this area for a detour for that or not. Mr. Bezanson recommends changing the existing signs to 90 degree angled curve signs and adding a lower advisory speed sign. **Councilor de Geofroy MOVE to recommend to full Council to install a “90 degree turn” sign with a 10 mph advisory” speed sign in both directions near curve on Meadow Lane. Councilor Gilman seconded the motion. The MOTION CARRIED 3 to 1 with Councilor Gilman opposed to the “advisory speed sign”.**

9. Other

Mr. Bezanson said that this would be his last meeting and it was a pleasure to serve the Public Safety Committee and the City for 9 ½ years and he appreciated the opportunity. Councilor Lachapelle to Mr. Bezanson it was a pleasure working with you and hates to see him go but was happy for him. Mr. Bezanson introduced Jarrod Norris to the committee who will be taking over Mr. Bezanson duties on the committee. Councilor Lachapelle ask Mr. Bezanson if he would pass on the items that have been in committee to Mr. Norris.

Councilor Lachapelle said the next Public Safety Committee Meeting will be held on June 21, 2023.

Councilor Lachapelle asked Deputy Chief Thomas if a meeting could be set up with him, the Police Department and the gentleman with the issue with the Oak Street target shooting.

Councilor Lachapelle ADJOURNED the meeting at 6:28 PM.

The minutes were respectfully submitted by Laura J. McDormand, Admin and Utility Billing Supervisor

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City Clerk's Office

Public Works and Buildings Committee
City Hall Council Chambers
Meeting Minutes
May 18, 2023 7PM

MEMBERS PRESENT

Councilor Donald Hamann, Chairman
Councilor Jim Gray, Vice Chairman
Councilor John Larochelle
Councilor Alexander de Geofroy

MEMBERS ABSENT

Councilor Steve Beaudoin

OTHERS PRESENT

Peter C. Nourse PE, Director of City Service
Lisa Clark, Deputy Director DPW
Dan Camara, Coordinator GIS & Asset Mgmt.
Susan Rice, North Main Business Owner, resident 159 Ten Rod Rd
Mark Sullivan, Deputy Finance Director, Main Street Org Representative
Jeff Bisson, Main Street Representative
Curt Thompson, PE Traffic Operations Engineer

MINUTES

Councilor Hamann called the Public Works and Building Committee to order at 7PM

1. Approval of April 20, 2023 Meeting Minutes

Councilor Larochelle made a motion to accept the minutes of the February, 2023 meeting as presented. Councilor Gray seconded the motion. The motion passed unanimously.

2. Public Input

Susan Rice of 159 Ten Rod Road and Business owner North Main Street. Mrs. Rice spoke to the Committee regarding the construction site work on North Main Street. She voiced concerns for public safety due to poor signage for construction zone and poor maintenance of the construction zone when not in operation. Mrs. Rice stated that construction materials were not swept up and she stated particular concern for motorcycle traffic in the area and the pedestrian crosswalk.

3. Main Street Deck Project

Mr. Sullivan spoke on behalf of the Main Street Organization. He stated he had previously discussed conceptual plans with this Committee for a deck project in the alley / walkway from North Main Street down to Wyandotte Falls. He presented a PowerPoint presentation to show the Committee the location for the deck and the design. (See Attached). Mr. Sullivan explained that the area has the potential to be a gateway to the Water Street Project and it can be used for small stage performances & other planned popup events. He stated that there will be some bistro tables and chairs and there might

also be artwork and plantings to spruce up the area. Mr. Bisson stated that this alley has had complaints regarding people hanging out and public safety concerns. He noted that last year some lights were put up to assist in that regard, and this project is planned to make this a better utilized safe area for the public. Councilor de Geofroy asked if there was electrical power to supply the stage for performances. Mr. Bisson stated that while there is a business owner that will allow electrical use if needed, Main Street sees this more as an acoustic situation for performers. Mr. Bisson stated that the Deck should be completed by the end of May and then there will be some bistro tables and chairs added. Councilor Hamann asked if permits were in place. Mr. Bisson stated that the permit is in place and Jim Grant from the Building & Licensing Department has been helpful and will assist with any issues that arise. He explained that the deck is going in where there is currently an area railed off. Councilor Gray asked for the PP be attached to the minutes.

4. Traffic Signal Modernization Project Update

Mr. Nourse stated that the City owns and maintains twenty (20) traffic signalized intersections and the funds for traffic signal modernizations were first obtained in the FY2020 CIP Budget. He noted that there have been additional appropriations since that time and that he will continue annually to request funding for the modernization of signals. Mr. Nourse stated that the goal is to utilize recent adaptive management technologies to proactively optimize the operations of the traffic signals. Mr. Nourse stated that Sebago Technics of South Portland is the City's designated signalization integrator, and he introduced Curt Thompson, PE from Sebago Technics. Mr. Nourse stated that in 2019, Sebago Technics assisted the City to install upgrades to 5 signalized intersections in the Columbus Avenue corridor (from Lowell to Brock Street). The upgrades provided the ability to coordinate the timings from intersection to intersection. He stated that these upgrades resulted in an approximate 20% reduction of the travel time through that area. Mr. Nourse stated that most recently we upgraded the intersection of South Main and Columbus with a new controller equipped with a secure internet connection to a traffic link server and a video-based vehicle detection system. The installed equipment included point-to-point radio technology to communicate with the other five intersections along the corridor. Mr. Nourse stated that this technology gives the City the ability to optimize the timings by coordinating all six intersections. He stated that timings and phasing of the signals can be changed remotely in real time if warranted and will also identify any malfunctioning equipment remotely. Mr. Nourse stated that Sebago Technics is assisting the City with a master plan design that will prioritize future intersection based on existing equipment and traffic conditions. Mr. Thompson displayed a PowerPoint (PP) presentation on the monitors. (Attached to the minutes). He explained the implemented equipment and results of the upgrades in detail using graphics and video. He also demonstrated the operations video equipment in real time. Mr. Thompson discussed the age and the limitations of the City's current traffic signal equipment. He noted most equipment dates to the 1980's and 1990's. Mr. Thompson stated that upgrading to this technology gives the ability to proactively monitor these signals and to adjust timings as required, prior to complaints.

5. Water Main Transmission Line Rehab Update

Mr. Nourse stated that he had last discussed this 20" transmission rehabilitation project in detail with the Committee at the April 20, 2023, meeting. He noted that work done at that point included pipe condition investigations, valve insertions necessary for future

maintenance and operations and cleaning of the main by pigging the line. He noted that if any of the public was interested in this project, they should watch the meeting online via the City website. Mr. Nourse stated that since that time the closed-circuit television (CCTV) inspections have confirmed the condition of the pipe and that the lining of the 20-inch water transmission main will not be necessary. Mr. Nourse stated that there is additional work that includes re-routing of the water main around the 217 Washington Street Chlorinator building. He stated that the main is routed through this building and there is a connection to a 1943 water main and other abandoned system components that do not meet the drinking water standard requirements. Mr. Nourse discussed hydraulic restrictions and flow reduction due to varying sizes in pipe as it flows through the building. He stated that the flow restriction reduce water quality, fire flows and redundancy in the area when needed. Mr. Nourse stated that there is sufficient funding for the follow-up work to re-route the main as part of the the rehabilitation project and he stated that the work is qualified under the ARPA guidelines. Mr. Nourse explained the funding of the project. He stated that the City Council delegated two million dollars of the City's American Rescue Plan Act (ARPA) funds for the 20" Transmission Main Rehabilitation Project. He noted that we have expended approximately three hundred and nine thousand to date and this work estimated at one hundred and fifty thousand dollars. Mr. Nourse stated that the remaining balance will be returned to the ARPA pool of funding, and he would like to discuss delegating these funds to another water project that is in progress. Councilor Hamann asked if the pipe work is in progress. Mr. Nourse stated that they are currently working on the design specification to re-route the pipe. Councilor Gray stated that once this project wraps up the remaining funds will need to be delegated though the Finance Committee and the full City Council if it were to be used for a different project.

6. Bulk Water Hauling Station

Mr. Nourse stated also located with the old chlorinator building and quansot hut at 217 Washington Street site there is now a bulk water metering station. He stated that this station is used by bulk water haulers, such as tankers for filling pools, landscapers and construction contractors who need water for site maintenance. Mr. Nourse stated it is also used by City staff to fill sweepers and jet and Vacon trucks. He stated that previously this service was offered at the 45 Old Dover Road location and a meter with manual readings was used. Mr. Nourse said that due to the closure of the 45 Old Dover Road site this location was selected as it provides the traffic flow space, available water flows, and electrical and communication equipment for the automated system. He noted the recent water audit included a recommendation to better account for billed metered water. Mr. Nourse stated that this automated system is a package system from Portologic that provides automated metering and account tracking software. He stated that it is equipped with a flow meter and backflow prevention device, automatic valve drains and it controls the communications via the internet to the Utility Billing Office. Mr. Nourse displayed a graphic on the monitors of the station. (Attached to minutes). He stated that this allows for real time communication for volumes used and tracking per user. Each user is issued a unique account number and pin code that is assigned by DPW Administrative staff and access can be restricted in real time if necessary. Mr. Nourse also stated that tree cameras are being mounted at this site for the security of inventory stored at the location and the security of this automated system. Mr. Nourse stated that there have been instances of

contractors accessing hydrants and natural water ways to obtain water for their operations, which is illegal and subject to violations. He stated by providing this station for access it is helpful to eliminate those practices. Ms. Clark noted that this system's efficiency for billing and accurate metering has been very successful. Mr. Nourse stated that we will be using a similar Portologic System at the new septage receiving facility. The Committee discussed the revenue received from the septage receiving station and what impacts to the treatment process and NPDES permit could occur if there were increase volumes of private septic received. Councilor de Geofroy requested information on revenues and process impacts as the septage receiving project moves forward.

7. Rt202A Water Main Extension & Tank Project Update:

Mr. Nourse stated that the project is proceeding without significant issues. He stated that construction started in 2021 and water main installation is completed from the Highfields Common development, down Bickford Road to 202A (Walnut Street). The main has been installed down 202A to the area of Crown Point and installation is completed on Winkley Farm Road and Fiddlehead Lane. Mr. Nourse stated that the services have been completed on Winkley Farm and will start on Fiddlehead soon. He noted that all properties that wish to tie in, including the 10 MTBE homes, will be completed this calendar year (2023). Mr. Nourse stated that work on the tank has resumed, and the project completion date is scheduled for May or June of 2024. He noted that there will be a Public Relations event scheduled for summer or fall regarding this project.

8. Other:

Tebbetts Road - Councilor Hamann asked the reason for road closure. Ms. Clark stated that it was closed 3-4 hours for tree removal.

Staffing Update – Mr. Nourse informed the committee of the resignation of the City Engineer, Michael S. Bezanson, PE. He noted that Mr. Bezanson had been with the Department for 10 years and that he has served the City well and was a very dedicated employee. Mr. Nourse stated that this is a key position at the DPW as responsibilities include management of Capital Infrastructure projects, private development and interagency interactions. Mr. Nourse stated that the leadership team at the DPW is now down tree positions. He listed these positions as an Assistant Engineer, the City Engineer and the Deputy Director of Technical Services. Mr. Nourse stated he will be picking up most of these duties but that it is not sustainable in the long term. He explained that these vacancies have and will continue to have an impact on the level of work within the department. Councilor LaRochelle asked the Director of possible reasons why he is having trouble filling the vacancies. Mr. Nourse stated that there is a national shortage of engineers and although he believes the City has done a good job elevating staff wages, it is tough to compete with what the private sector offers for wages and working from home. Mr. Nourse stated that there has been an increase in funding and that he has spoken with consultants that are expressing the same staffing issues due to the increase in projects both Municipal and private.

Councilor Larochelle made a motion for adjournment at 8:35. The motion was seconded by Councilor de Geofroy. The motion passed unanimously.

Minutes respectfully submitted by Lisa J. Clark, DPW Deputy Director Operations & Administration.



Wyandotte Alley deck project

Public Works Committee

May 18, 2023

Current Condition



Viewed from North Main looking toward Wyndotte



Closer View from North Main looking toward Wyndotte

Current Condition



Old Rail Fenced area



Location & size of deck

-
- The alley has potential to be a gateway for Water Street redevelopment.
 - Main Street has received the support of City Manager Cox for the project.
 - The alley will become a desirable space that is more greatly utilized.
 - The deck can be used as a stage for performers (pop-up or planned events).
 - The Main Street organization will maintain the deck, as well as chairs/tables/art.

Columbus Avenue

Overview of Traffic Signal Improvement Projects

Curt Thompson, P.E. PTOE

Sr. Traffic Operations Engineer



CIVIL ENGINEERING • SURVEYING • LANDSCAPE ARCHITECTURE

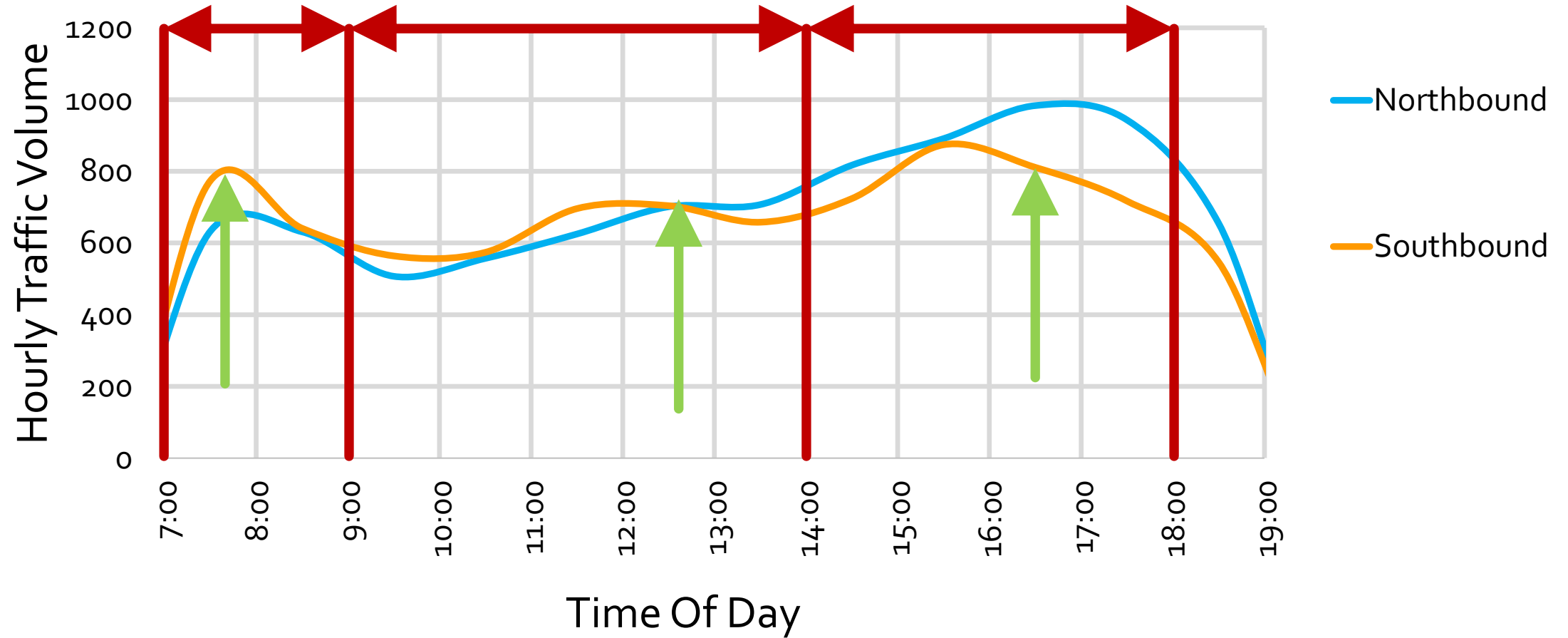
Agenda

- 2018-2019 : Traffic Signal Evaluation and Coordinated Signal Timings Deployment
- 2022-2023 : Columbus Ave. Traffic Signal Improvements
- Demonstration of Video Detection and Reporting
- Recommended Next Steps

2018-2019 : Traffic Signal Evaluation and Coordinated Signal Timings Deployment

- Completed safety audit of existing signal timings.
- Developed coordination plans utilizing traffic movement volumes collected in 2018.
- Deployed the coordination plans to the corridor.

11/2018 Hourly Traffic Profile North of Old Dover Road





2018-2019 : Traffic Signal Evaluation and Coordinated Signal Timings Deployment

Results

- 10-20% Average Reduction in Delay
- 23% Reduction in AM SB Total Travel Time
- 12% Reduction in PM NB Total Travel Time
- 10-20 Second Reduction in 80th percentile Travel Times

2018-2019 : Traffic Signal Evaluation and Coordinated Signal Timings Deployment

Recommendations

- Create Traffic Signal Network With Remote Connection Capabilities.
- Upgrade vehicle detection to Video with Signal Performance Measures.
- Install travel time monitoring.

2022-2023 : Columbus Ave. Traffic Signal Improvements

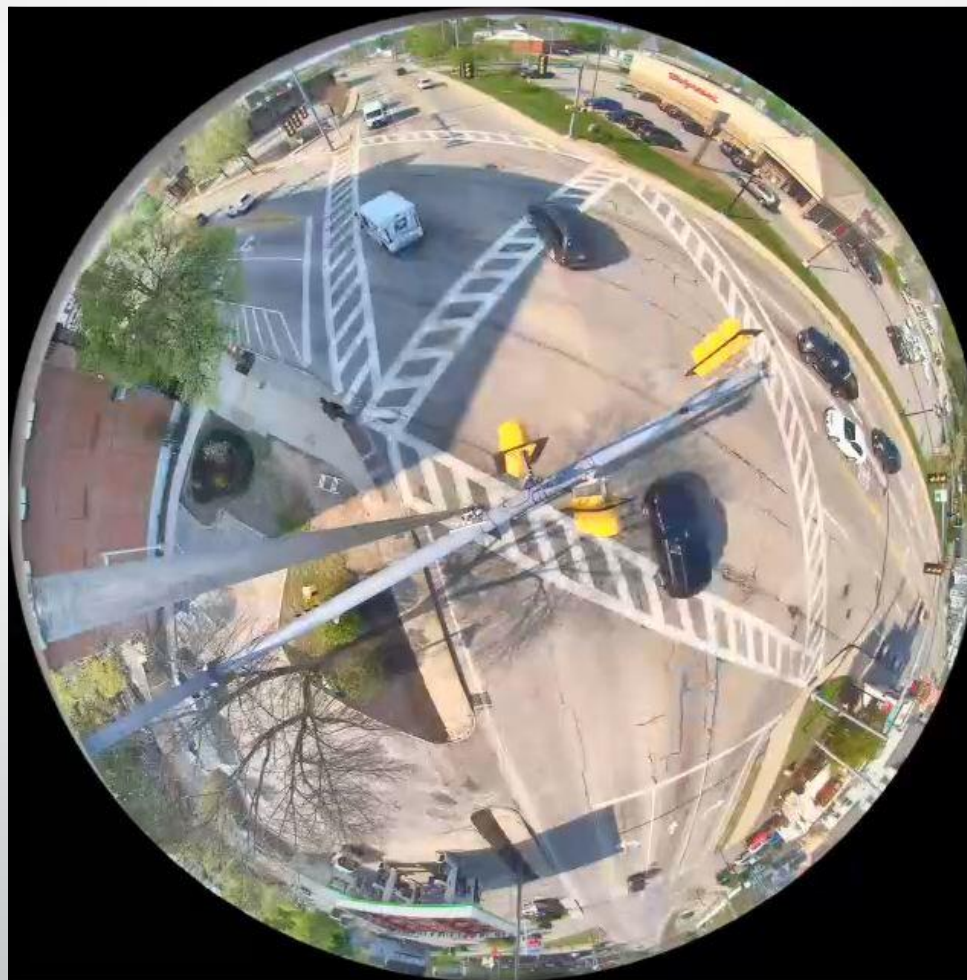
- Equipment Upgrades for Columbus Ave. at South Main St. Signal.
- Deployed wireless radio interconnect along the corridor and created a traffic network.
- Established remote communication to the traffic network.

2022-2023 : Columbus Ave. Traffic Signal Improvements



17 of 25

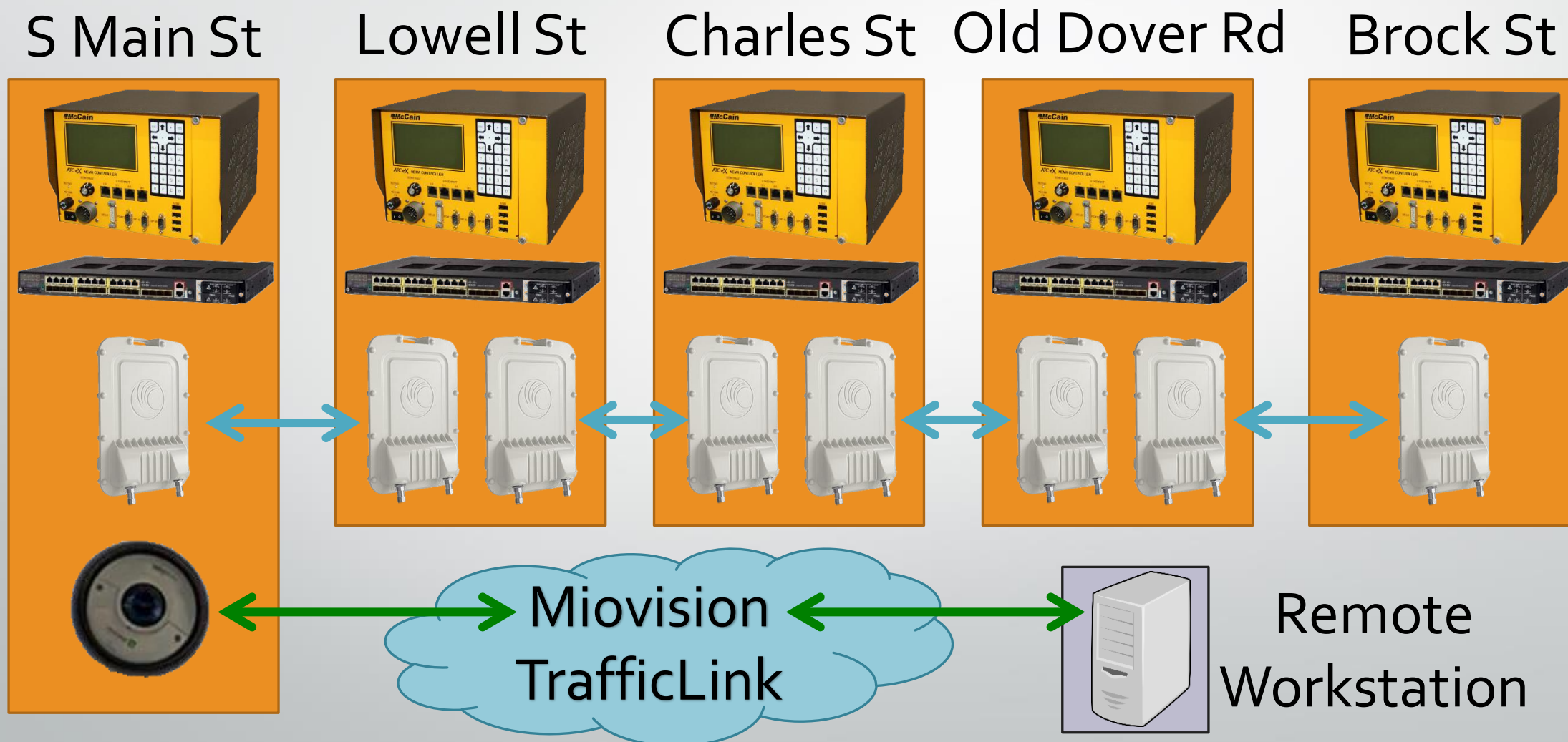
2022-2023 : Columbus Ave. Traffic Signal Improvements



2022-2023 : Columbus Ave. Traffic Signal Improvements



Traffic Signal Network Diagram



Demonstration of Miovision TrafficLink

Demonstration of Power Bi Detector SPM Report

Recommended Next Steps

- Upgrade Detection at other Columbus Ave Intersections
- Traffic Network Master Communication Plan
- Traffic Signal Asset Management Plan

Questions?



Curt Thompson, P.E. PTOE
Sr. Traffic Operations Engineer
cthompson@sebagotechnics.com

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NOTICE
THIS AREA IS UNDER
24 HOUR
VIDEO
SURVEILLANCE

For more information, please contact:
Name: [illegible]
Phone: [illegible]
Email: [illegible]
Address: [illegible]
City: [illegible]
State: [illegible]
Zip: [illegible]
Country: [illegible]
Company: [illegible]
Project: [illegible]
Date: [illegible]
Signature: [illegible]
Title: [illegible]

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City Clerk's Office

Resolution for Supplemental Appropriation and Authorizing Borrowing Authority
Pursuant to RSA 33:9 to the General Fund Capital Improvements Plan (CIP) Fund in the
amount of \$1,181,343.00

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

That the Mayor and City Council of the City of Rochester hereby appropriate One Million One Hundred Eighty One Thousand Three Hundred Forty Three and 00/100 Dollars (\$1,181,343.00) to the General Fund CIP for the purpose of paying the costs associated with the Portland Street Sidewalk Project and the appropriation shall be divided amongst two (2) fund sources as follows: Nine Hundred Forty Five Seventy Three and 85/100 Dollars (\$945,073.85) from NH DOT and Two Hundred Thirty Six Thousand Two Hundred Sixty Eight and 46/100 Dollars (\$236,268.46) in borrowing/bonding.

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 Two Hundred Thirty Six Thousand Two Hundred Sixty Eight and 46/100 Dollars (\$236,268.46) through the issuance of bonds and/or notes, and/or through other legal form(s), 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.

Further, the Mayor and City Council of the City of Rochester, by adoption of this Resolution authorize the City Manager and/or the Finance Director to act as the City's representative(s) for the execution of all documents necessary to complete the agreement with NHDOT for the project and to process all associate documentation.

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.

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City Clerk's Office



06/01/2023

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

COUNCIL ACTION ITEM <input type="checkbox"/> INFORMATION ONLY <input type="checkbox"/>	FUNDING REQUIRED? YES <input type="checkbox"/> NO <input type="checkbox"/> * IF YES ATTACH A FUNDING RESOLUTION FORM
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RESOLUTION REQUIRED? YES <input type="checkbox"/> NO <input type="checkbox"/>	FUNDING RESOLUTION FORM? YES <input type="checkbox"/> NO <input type="checkbox"/>
---	---

AGENDA DATE			
DEPT. HEAD SIGNATURE			
DATE SUBMITTED			
ATTACHMENTS YES <input 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	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

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

LEGAL AUTHORITY

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SUMMARY STATEMENT

RECOMMENDED ACTION

AGENDA BILL - FUNDING RESOLUTION

EXHIBIT

Project Name: Date: Fiscal Year:

Fund (select):

GF Water Sewer Arena CIP Water CIP Sewer CIP Arena CIP Special Revenue Fund Type: Lapsing Non-Lapsing

Deauthorization

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

Appropriation

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

Revenue

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

DUNS # CFDA # Grant # Grant Period: From
To

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

Reimbursement Request will be reduced Funds will be returned

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City Clerk's Office

Resolution for Supplemental Appropriation and Authorizing Borrowing Authority
Pursuant to RSA 33:9 to the Tax Increment Finance (TIF) District Capital Improvements
Plan (CIP) Fund in the amount of \$3,939,563.00

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

That the Mayor and City Council of the City of Rochester hereby appropriate Three Million Nine Hundred Thirty Nine Thousand Five Hundred Sixty Three and 00/100 Dollars (\$3,939,563.00) to the Granite Ridge TIF CIP for the purpose of paying the costs associated with the Route 11 Highway Improvement Project and the appropriation shall be divided amongst two (2) fund sources as follows: Three Million One Hundred Fifty One Thousand Six Hundred Fifty and 40/100 Dollars (\$3,151,650.40) from NH DOT and Seven Hundred Eighty Seven Thousand Nine Hundred Twelve and 60/100 Dollars (\$787,912.60) in Tax Incremental Financing District borrowing/bonding.

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 Seven Hundred Eighty Seven Thousand Nine Hundred Twelve and 60/100 Dollars (\$787,912.60) through the issuance of bonds and/or notes, and/or through other legal form(s), 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.

Further, the Mayor and City Council of the City of Rochester, by adoption of this Resolution authorize the City Manager and/or the Finance Director to act as the City's representative(s) for the execution of all documents necessary to complete the agreement with NHDOT for the project and to process all associate documentation.

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.

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City Clerk's Office



06/01/2023

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

COUNCIL ACTION ITEM <input type="checkbox"/> INFORMATION ONLY <input type="checkbox"/>	FUNDING REQUIRED? YES <input type="checkbox"/> NO <input type="checkbox"/> * IF YES ATTACH A FUNDING RESOLUTION FORM
RESOLUTION REQUIRED? YES <input type="checkbox"/> NO <input type="checkbox"/>	FUNDING RESOLUTION FORM? YES <input type="checkbox"/> NO <input type="checkbox"/>

AGENDA DATE		
DEPT. HEAD SIGNATURE		
DATE SUBMITTED		
ATTACHMENTS YES <input 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	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

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

LEGAL AUTHORITY

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SUMMARY STATEMENT

RECOMMENDED ACTION

AGENDA BILL - FUNDING RESOLUTION

EXHIBIT

Project Name: Date: Fiscal Year:

Fund (select):

GF Water Sewer Arena CIP Water CIP Sewer CIP Arena CIP Special Revenue Fund Type: Lapsing Non-Lapsing

Deauthorization

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

Appropriation

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

Revenue

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

DUNS # CFDA # Grant # Grant Period: From
To

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

Reimbursement Request will be reduced Funds will be returned

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City Clerk's Office

Resolution Approving Fiscal Year 2023-2024 Operating Budget for the City of Rochester

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

That a twelve (12) month operating budget for the City of Rochester be, and hereby is, approved and appropriated for the period beginning July 1, 2023 and ending June 30, 2024 in the amounts and for the purposes more particularly set forth in the City of Rochester, Proposed Budget, Fiscal Year 2024 (July 1, 2023 - June 30, 2024), as amended, the provisions of which are incorporated herein by reference thereto by attached **Exhibit A**.

This budget may be reconsidered before the tax rate is set if City, School and/or County revenues are changed by the State of New Hampshire or by the Federal Government. The budget appropriations contained in this Resolution are predicated upon projected revenues as more particularly set forth in the City of Rochester, Proposed Budget, Fiscal Year 2024 (July 1, 2023 - June 30, 2024), as amended, the provisions of which are incorporated herein by reference thereto.

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City Clerk's Office

PROPOSED 2023-2024 OPERATING BUDGET-EXHIBIT A**OPERATING BUDGET SUMMARY**

Appropriations:	Proposed		Adopted		Changes as of 5-16-23
City	\$	44,729,082	\$	43,334,514	\$ (1,394,568)
County Tax	\$	8,020,000	\$	8,020,000	\$ -
Overlay	\$	350,000	\$	350,000	\$ -
Estimated Veteran's Credits	\$	686,675	\$	686,675	\$ -
School	\$	73,043,706	\$	72,793,706	\$ (250,000)
School Federal Grants	\$	10,944,000	\$	10,944,000	\$ -
School Lunch	\$	1,900,000	\$	1,900,000	\$ -
School State Property Tax	\$	5,482,601	\$	5,482,601	\$ -
City Grants & Special Revenues	\$	165,000	\$	165,000	\$ -
Tax Incremental Financing Districts	\$	1,341,889	\$	1,341,889	\$ -
Water Fund	\$	7,544,084	\$	7,544,084	\$ -
Sewer Fund	\$	11,744,213	\$	11,744,213	\$ -
Arena Special Revenue Fund	\$	413,290	\$	413,290	\$ -
Community Center	\$	894,759	\$	894,759	\$ -
Sub Total	\$	167,259,299	\$	165,614,731	\$ (1,644,568)

Revenues:					
City	\$	15,786,607	\$	16,276,607	\$ 490,000
Use of Fund Balance	\$	5,814,100	\$	5,814,100	\$ -
School Revenues	\$	34,087,400	\$	34,087,400	\$ -
School Federal Grants	\$	10,944,000	\$	10,944,000	\$ -
School Lunch	\$	1,900,000	\$	1,900,000	\$ -
City Grants and Donations	\$	165,000	\$	165,000	\$ -
Tax Incremental Financing Districts	\$	1,341,889	\$	1,341,889	\$ -
Water Fund	\$	7,544,084	\$	7,544,084	\$ -
Sewer Fund	\$	11,744,213	\$	11,744,213	\$ -
Arena Special Revenue Fund	\$	413,290	\$	413,290	\$ -
Community Center	\$	894,759	\$	894,759	\$ -
Amount to be Raised by Taxes *	\$	76,623,957	\$	74,489,389	\$ (2,134,568)
Sub Total	\$	167,259,299	\$	165,614,731	\$ (1,644,568)

*Amount to be Raised by Taxes: Categories

City	\$	23,478,375	\$	21,593,807	\$ (1,884,568)
Veterans Credits	\$	686,675	\$	686,675	\$ -
County	\$	8,020,000	\$	8,020,000	\$ -
School Local	\$	38,956,306	\$	38,706,306	\$ (250,000)
School State Education	\$	5,482,601	\$	5,482,601	\$ -
All Totals	\$	76,623,957	\$	74,489,389	\$ (2,134,568)

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City Clerk's Office

Resolution Authorizing and Approving Fiscal Year 2023-2024 Capital Budget for the City of Rochester and Authorizing Borrowing in connection therewith

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

That the capital budget for the City of Rochester for fiscal year 2023-2024 (July 1, 2023 to June 30, 2024) in the total amount specified in **Exhibit A** annexed hereto, be, and hereby is, authorized and appropriated, and, in accordance with the provisions of RSA 33:9, the City Treasurer, with the approval of the City Manager, is hereby authorized to arrange borrowing to finance a portion of said capital budget appropriation as identified on **Exhibit A** annexed hereto.

The aforementioned borrowing is authorized subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter. The useful lives of the capital projects for which borrowing is authorized by this resolution shall be more particularly set forth in the "City of Rochester, New Hampshire, Proposed CIP Budget, Fiscal Year 2024 (July 1, 2023 – June 30, 2024), as amended.

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City Clerk's Office

PROPOSED 2023-2024 CAPITAL BUDGETS-EXHIBIT A**CAPITAL BUDGET SUMMARY**

	<u>Proposed</u>	<u>Adopted</u>	<u>Changes as of 5-16-23</u>
Proposed Capital Appropriations:			
City	\$ 15,728,023	\$ 14,390,023	\$ (1,338,000)
School	\$ 2,732,000	\$ 2,732,000	\$ -
Water Fund	\$ 7,497,500	\$ 7,497,500	\$ -
Sewer Fund	\$ 7,639,500	\$ 7,639,500	\$ -
Community Center	\$ 428,500	\$ 428,500	\$ -
Total Appropriations	\$ 34,025,523	\$ 32,687,523	\$ (1,338,000)
Source of Revenues			
General Fund			
Bonding and/or other Borrowing	\$ 10,997,750	\$ 10,997,750	\$ -
Operating Budget	\$ 6,386,100	\$ 5,048,100	\$ (1,338,000)
Grants	\$ 1,479,673	\$ 1,479,673	\$ -
Other Sources	\$ 25,000	\$ 25,000	\$ -
Subtotal General Fund Revenues	\$ 18,888,523	\$ 17,550,523	\$ (1,338,000)
Enterprise Funds & Tax Incremental Financing Districts			
Bonding and/or other Borrowing	\$ 13,475,000	\$ 13,475,000	\$ -
Operating Budget	\$ 1,662,000	\$ 1,662,000	\$ -
Grants	\$ -	\$ -	\$ -
Subtotal Enterprise Funds & Tax Incremental Financing Revenues	\$ 15,137,000	\$ 15,137,000	\$ -
Total Revenues	\$ 34,025,523	\$ 32,687,523	\$ (1,338,000)

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City Clerk's Office

RESOLUTION ADOPTING AN FY 2024 ROCHESTER CDBG
“ACTION PLAN FOR THE CITY OF ROCHESTER, N.H.” AND
APPROVING AND APPROPRIATING THE FY 2024 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 FY 2024 (July 1, 2023—June 30, 2024) “Action Plan for the Community Development Block Grant (CDBG) Program 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 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 Twenty Nine Thousand Five Hundred Seventy Six Dollars (\$229,576.00) be, and hereby is, approved and appropriated for fiscal year 2024 (July 1, 2023—June 30, 2024). 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	\$ 45,915.00
Public Service Agencies	\$ 34,436.00
Housing/Public Facilities/Infrastructure	\$ 149,225.00
Total	\$ 229,576.00

III. Further, that Two Hundred Forty One Thousand Fifty Six Dollars and Eighteen Cents (\$241,056.18) in the Job Opportunity Benefit revolving loan fund loan fund, plus the principal and interest received monthly from existing loans’ repayments, be appropriated for continued use in the FY 2024 Action Plan year in granting loans to qualified small businesses that commit to the creation and/or retention of jobs made available to low to moderate-income Rochester residents.

This budget and the one-year action plan for FY 2024 may be reconsidered if federal funding is changed or if it is inconsistent with the total FY 2024 budget adopted for the Office of Economic and Community Development.

The sums necessary to fund the above appropriation in the amount of Two Hundred Twenty Nine Thousand Five Hundred Seventy Six Dollars (\$229,576.00) shall be drawn in their entirety from the above-mentioned FY 2024 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 the City Manager's designee in the Office of Economic and Community Development, is authorized to adjust 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.



06/01/2023

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

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		
DEPT. HEAD SIGNATURE		
DATE SUBMITTED		
ATTACHMENTS YES <input 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	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

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

LEGAL AUTHORITY

SUMMARY STATEMENT

RECOMMENDED ACTION

AGENDA BILL - FUNDING RESOLUTION

EXHIBIT

Project Name: Date: Fiscal Year:

Fund (select):

GF Water Sewer Arena CIP Water CIP Sewer CIP Arena CIP Special Revenue Fund Type: Lapsing Non-Lapsing

Deauthorization

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

Appropriation

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

Revenue

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

DUNS # CFDA # Grant # Grant Period: From
To

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

Reimbursement Request will be reduced Funds will be returned

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left blank...*

City Clerk's Office

Amendment to Chapter 275 of the General Ordinances of the City of Rochester Regarding Charitable Gaming and Sports Book Retail Facilities

THE CITY OF ROCHESTER ORDAINS:

That Chapter 275 of the General Ordinances of the City of Rochester and currently before the Rochester City Council, be amended as follows (deletions ~~struck out~~ additions in **RED**):

Chapter 275, Table 18, Use Table

ADD: Charitable Gaming Facility. Permitted in the Highway Commercial zone and allowed by Conditional Use in the Granite Ridge Zone.

Sports Betting Facility. Permitted in Highway Commercial and Granite Ridge Zones.

275-2.1 - Definitions

ADD: Charitable Gaming Facility: A charitable organization conducting games of chance as defined in RSA 287-D:4. The facility shall be licensed by the State of New Hampshire pursuant to RSA 287-D:7.

Sports Betting Facility: A facility licensed by the State of New Hampshire which conducts Sports wagering as authorized by RSA 287-I. Sports Betting facilities may include Sports Book Retail locations and Mobile Sports Wagering. Sports Betting is permitted only when collocated with Charitable Gaming Facilities.

275-20.2 Conditions for Particular Use

Charitable Gaming Facility. The Planning Board may approve the facility based on the following criteria in addition to standard requirements set by Zoning and Site Plan Regulations:

1. Minimum Square footage. The gaming floor of the facility, defined as the area within a gaming location authorized by the State of New Hampshire, shall have a minimum area of 20,000 square feet. The gaming floor does not include areas used for accounting, maintenance, surveillance, security, administrative offices, storage, cash or cash counting, and records.
2. Public Art. Public Art works to connect community with our built environment and support a sense of place and identity. With expansive parking and large-scale buildings required for Charitable Gaming Facilities, public artwork offers an opportunity to integrate the use with the community and maintain a high aesthetic value.

As part of the proposal, the applicant may consider integrating public art which serves to enhance community identity, this is not required but strongly encouraged. The Planning Board will review the amount of artwork in relation to the building façade and placement based on visibility from the public right of way. The applicant should consider utilizing public art as a design element of the proposal and engage local community and artists in the

planning process, the Arts and Culture Commission may be a resource. Additional art may also be included into the site layout including but not limited to sculptures and other visible art within the parking lot, landscape islands and along walkways. Public art must meet the intent of the definition of a mural and not be considered a sign.

Within 5 years of Planning Board approval, the property owner may petition the City Council to accept an easement for the public art to help provide adequate long-term maintenance. The easement will only be accepted if the public art proposal contributes to the public good and represents the values of the community, as determined by City Council.

3. Architectural standards. The following criteria is required in addition to standards set by Site Plan Regulations, Section 2 – Architecture.
 - a. In order to achieve a building with human scale, broad expanses of blank walls are prohibited. The building shall employ massing, materials, textures and color. Consider using architectural features such as pilasters, arches, windows (transparent or opaque) as well as masses of different heights.
 - b. A minimum of three colors/materials/textures shall be incorporated in the exterior design.
4. Parking and Traffic.
 - a. Parking lot design shall incorporate bus parking and bus loading zones.
 - b. Commercial loading areas shall be screened from the public right-of-way and abutting residential properties.
 - c. A traffic impact analysis is required and must include the expectation of bus traffic.
 - d. Bus and truck trailer parking is required to be screened from the public right-of-way and abutting residential properties for all uses of the property.
 - e. Required off-street parking shall be provided at a ratio of not less than 0.75 parking spaces for each gaming position in addition to all standards set by Site Plan Regulations Section 10 – Parking and Circulation. Additional principle uses including restaurants, entertainment, and lodging facilities shall follow parking standards outlined in Site Plan Regulations.
 - f. Two percent of required parking spaces must be equipped with Electric Vehicle Charging Stations with a minimum of four per site.

5. Additional principle uses to a site, including restaurants, entertainment, and lodging, shall follow requirements pursuant to Zoning Ordinance Regulations 275-19.2:L, Multiple Principle Uses.
6. Off Site Improvements. The developer is responsible for off-site improvements as specified by the Planning Board as per RSA 674-21.5:J.
7. Outdoor entertainment.
 - a. Outdoor events which exceed noise standards set by Zoning Ordinance Regulations 275-28.3 will require a special events permit.
 - b. The property owner has the burden of proof to show decibel ratings meet standards set by Zoning Ordinance Regulations 275-28.3 Noise.
 - c. The Zoning Board of Adjustment (ZBA) may grant a Special Exception for music and entertainment which exceed decibel limits subject to meeting appropriate conditions as per Zoning Ordinance Regulations 275-28.3 E(4)
8. Outdoor smoking and alcoholic beverage service areas shall be a minimum distance of 1000 feet from Schools, K-12 or Day Care establishments as defined in Zoning Ordinance Regulations 275-2.2.
9. Safety and security.
 - a. The facility is required to submit a safety and security plan subject to approval by the Rochester Fire and Police Departments. The plan shall outline all aspects of life safety to include emergency egress, access, site security, and occupancy limitations.
 - b. The facility shall provide an enclosed interior location, solely controlled by the Rochester Fire and Police Departments, which can sufficiently accommodate the requirements of First Responders.
 - c. One Automated External Defibrillator (AED) shall be mounted in an accessible public location for every 5000 square feet of gaming floor.
10. Landscaping. In addition to Site Plan Regulations, Section 5 – Landscaping; a Charitable Gaming Facility shall include:

11.
 - a. A landscaping plan developed by a licensed landscape architect, to include a maintenance plan.
 - b. Landscaping used as a design element of the site.
 - c. A 15-foot landscape buffer between any structure and parking area, with the exception of vehicle and pedestrian access ways.
 - d. Parking areas shall meet Site Plan Regulations as per Section 5 – Landscaping (E) Parking Lots

Sports Betting Facility. Sports Betting Facilities are permitted only when collocated with Charitable Gaming Facilities.

Amendments take effect upon passage.



06/01/2023

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

COUNCIL ACTION ITEM <input type="checkbox"/> INFORMATION ONLY <input type="checkbox"/>	FUNDING REQUIRED? YES <input type="checkbox"/> NO <input type="checkbox"/> * IF YES ATTACH A FUNDING RESOLUTION FORM
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RESOLUTION REQUIRED? YES <input type="checkbox"/> NO <input type="checkbox"/>	FUNDING RESOLUTION FORM? YES <input type="checkbox"/> NO <input type="checkbox"/>
---	---

AGENDA DATE			
DEPT. HEAD SIGNATURE			
DATE SUBMITTED			
ATTACHMENTS YES <input 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	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

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

LEGAL AUTHORITY

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SUMMARY STATEMENT

RECOMMENDED ACTION

**Resolution Authorizing the Acceptance of \$603.02 in Forfeiture Funds from the State of
New Hampshire**

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

The City hereby accepts a Six Hundred Three and 02/100 Dollars (\$603.02) in forfeiture funds from the State of New Hampshire.

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

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City Clerk's Office




06/01/2023

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 forfeiture funds in the amount of \$603.02.

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 June 2023 meeting		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED	5/4/23		
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	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	
SOURCE OF FUNDS	Federal Funds
ACCOUNT NUMBER	61032010-561032-23XXX
AMOUNT	\$603.02
APPROPRIATION REQUIRED	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

LEGAL AUTHORITY

Council action required.

SUMMARY STATEMENT

Seeking permission from Council to accept federal forfeiture funds in the amount of \$603.02.

RECOMMENDED ACTION

Accept federal funds in the amount of \$603.02

AGENDA BILL - FUNDING RESOLUTION

EXHIBIT

Project Name: Federal Forfeiture Funds.

Date: 05/4/2023

Fiscal Year: FY23

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	61032010	531032	23XXX	\$603.02	-	-
2				-	-	-
3				-	-	-
4				-	-	-

Revenue

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	6103003	402148	23XXX	\$603.02	-	-
2				-	-	-
3				-	-	-
4				-	-	-

DUNS #

CFDA # 16.922

Grant # Grant Period: From
To

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

Reimbursement Request will be reduced ☐Funds will be returned ☐

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City Clerk's Office

**RESOLUTION AUTHORIZING ACCEPTANCE AND APPROPRIATION OF VICTIMS
OF CRIME ACT (VOCA) GRANT AWARD IN AN AMOUNT OF \$25,836.00
FOR FY 2024**

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

WHEREAS, that a Victims of Crime Act (VOCA) grant in the amount of Twenty-Five Thousand Eight Hundred and Thirty-Six Dollars (\$25,836.00) awarded to the City of Rochester's Legal Department is hereby accepted by the City of Rochester;

WHEREAS, the aforesaid grant requires a 20% cash match by the City of Rochester in the amount of Six Thousand Four Hundred Fifty Nine Dollars (\$6,459.00), to the Victims of Crime Act (VOCA) grant by City of Rochester's Legal Department;

FURTHER, that the sum of Twenty-Five Thousand Eight Hundred and Thirty-Six Dollars (\$25,836.00) be, and hereby is, appropriated to a non-lapsing Special Revenue Fund to be created for the purpose of carrying out the purposes of the Victims of Crime Act grant;

FURTHER, that the transfer of Six Thousand Four Hundred Fifty Nine Dollars (\$6,459.00) from the FY 2024 Legal Department Operating Budget to the non-lapsing Special Revenue fund stipulated above is hereby authorized;

FURTHER, that the City Manager is authorized to enter into a grant agreement and any other contracts with the New Hampshire Department of Justice that are necessary to receive and administer the grant funds detailed above; and

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.

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City Clerk's Office



06/01/2023

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

COUNCIL ACTION ITEM <input type="checkbox"/> INFORMATION ONLY <input type="checkbox"/>	FUNDING REQUIRED? YES <input type="checkbox"/> NO <input type="checkbox"/> * IF YES ATTACH A FUNDING RESOLUTION FORM
---	---

RESOLUTION REQUIRED? YES <input type="checkbox"/> NO <input type="checkbox"/>	FUNDING RESOLUTION FORM? YES <input type="checkbox"/> NO <input type="checkbox"/>
---	---

AGENDA DATE			
DEPT. HEAD SIGNATURE			
DATE SUBMITTED			
ATTACHMENTS YES <input 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	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

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

LEGAL AUTHORITY

--

SUMMARY STATEMENT

RECOMMENDED ACTION

AGENDA BILL - FUNDING RESOLUTION

EXHIBIT

Project Name: Date: Fiscal Year:

Fund (select):

GF Water Sewer Arena CIP Water CIP Sewer CIP Arena CIP Special Revenue Fund Type: Lapsing Non-Lapsing

Deauthorization

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

Appropriation

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

Revenue

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

DUNS # CFDA # Grant # Grant Period: From
To

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

Reimbursement Request will be reduced Funds will be returned

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left blank...*

City Clerk's Office

**RESOLUTION APPROVING COST ITEMS ASSOCIATED WITH
PROPOSED
CITY OF ROCHESTER
MULTI-YEAR COLLECTIVE BARGAINING
AGREEMENT WITH
THE INTERNATIONAL BROTHERHOOD
OF TEAMSTERS
LOCAL 633 OF NEW HAMPSHIRE**

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 cost items associated with the multi-year year collective bargaining agreement between the City of Rochester and the INTERNATIONAL BROTHERHOOD OF TEAMSTERS LOCAL 633 OF NEW HAMPSHIRE (Teamsters) Bargaining Unit, covering the period July 1, 2023 to June 30, 2026, as set forth in the proposed contract, and as more particularly detailed on the attached "**EXHIBIT A: Teamsters – JULY 2023**," which includes a summary financial analysis of the annual costs of the contract to the City provided by the Rochester Director of Finance, is hereby approved. The provision of funds necessary to fund the aforementioned, and hereby approved, collective bargaining agreement "cost items" in the first year of the agreement will be contained in the Fiscal Year 2024 operating budget of the City.

Exhibit A: **Teamsters** - JULY 2023

City Health Contribution	80/20	78/22	76/24	74/26
	ABSOS 20/40	ABSOS 20/40	ABSOS 20/40	ABSOS 20/40
	RX 10/20/45	RX 10/20/45	RX 10/20/45	RX 10/20/45
Health Plan	DED \$1000/\$3000	DED \$1000/\$3000	DED \$1000/\$3000	DED \$1000/\$3000
Projected Health Increase		7.60%	6.00%	6.00%
	Current FY23	FY24	FY25	FY26
Wages				
Base Wage	\$684,512.14	\$727,911.60	\$770,382.60	\$814,026.20
Longevity	\$6,575.00	\$6,875.00	\$6,875.00	\$7,300.00
Total Wages	\$691,087.14	\$734,786.60	\$777,257.60	\$821,326.20
Dollar Change		\$43,699.46	\$42,471.00	\$44,068.60
% Change		6.32%	5.78%	5.67%
Benefits				
Medicare	\$10,020.76	\$10,654.41	\$11,270.24	\$11,909.23
Social Security	\$42,847.40	\$45,556.77	\$48,189.97	\$50,922.22
Health Insurance	\$97,718.40	\$100,866.59	\$104,137.70	\$107,442.54
Opt Out	\$1,600.00	\$1,600.00	\$1,600.00	\$1,600.00
Life Insurance	\$863.16	\$920.87	\$974.56	\$1,031.40
STD Disability Insurance	\$2,157.89	\$2,302.18	\$2,436.39	\$2,578.49
LTD Disability Insurance	\$3,116.95	\$3,325.37	\$3,519.23	\$3,724.48
Total Benefits & Rollups	\$158,324.57	\$165,226.19	\$172,128.08	\$179,208.36
Dollar Change		\$6,901.63	\$6,901.89	\$7,080.28
% Change		4.36%	4.18%	4.11%
Totals				
Total Wages, Benefits & Rollups	\$849,411.71	\$900,012.79	\$949,385.68	\$1,000,534.56
Dollar Change		\$50,601.09	\$49,372.89	\$51,148.88
% Change		5.96%	5.49%	5.39%

18 Total Employees - 44% FT



06/01/2023

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

Local 633 Teamsters Collective Bargaining 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, 2023		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED			
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	13	

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

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

LEGAL AUTHORITY

NH RSA 273-A: Public Employee Labor Relations

SUMMARY STATEMENT

The Collective Bargaining Agreement (CBA) between Local 633 Teamsters group and the City expires on June 30, 2023. The negotiating teams for both sides reached a Tentative Agreement (TA) and the Teamsters personnel ratified the agreement. It now comes to the City Council for consideration for final approval.

RECOMMENDED ACTION

Adoption of this CBA.

Agreement between Library Trustees, the City of Rochester, NH
and

International Brotherhood of Teamster, Local 633 of NH

April 24, 2023

TENTATIVE AGREEMENT

II. RECOGNITION

A. For the purpose of collective negotiations under RSA 273-A, the City recognizes the International Brotherhood of Teamsters, Local 633, as the exclusive representative of the following personnel:

Technical Services Librarian, Lead Librarian, Emerging Technology Specialist, Library Assistant and Secretary as set forth in PELRB Decision No. 2021-119, Certified July 2, 2021

VII DISCIPLINARY PROCEEDINGS

A. The City retains the sole right and authority to discipline employees. This right and authority includes the absolute right to reprimand, either verbally or in writing, suspend, either with or without pay, demote, discharge, or other types of discipline as may be appropriate to the particular violation, act or omission. As a part of this sole right and authority management may make, amend and enforce its rules and regulations without consultation or consent of employees or the union, subject to all rules and regulations and amendments thereto being properly ~~posted within the work areas for the department~~ **distributed to all staff prior to implementation.**

D. In the event of a written reprimand, the personnel record of the employee will be cleared of any written evidence of such discipline after ~~one (1) year~~ **eighteen (18) months** from the date of the discipline, provided there be no written reprimands, suspensions, demotions or other disciplinary actions during the **eighteen (18) month** period. In the event of a suspension, the employee may in writing ask the Library Director, the Library Trustees, or the City Manager for the removal of the disciplinary action pursuant to RSA 275:56. Notwithstanding the foregoing, maintenance of records pertaining to investigations and the disposition of harassment complaints shall be maintained in accordance with the City's Harassment policy.

XII. SENIORITY

Seniority for employees governed by this Agreement shall be determined by the date of hire for the last period of ~~continuance~~ **continuous** regular employment with the City in the work covered by this Agreement at the Rochester City Library within the jurisdiction of the Union.

XV. VACATION

A. The provisions of this section shall apply to regular full-time employees and, on a pro rata basis, to regular part-time employees. Application for vacation leave shall be requested at least forty-eight (48) hours in advance (unless extenuating circumstances exist), be approved by the ~~Department head~~ **employee's supervisor** and shall be chosen based on seniority, except that no employee shall select more than two (2) weeks at one time until all employees have been given an opportunity to choose their preferred vacation time. Vacation time accrued in a year (based on anniversary date) shall be taken within the next following employment year. Earned vacation time may be used after the completion of the first six (6) months of employment. Carryover of vacation time may occur upon application by the employee and exception granted by the Library Director and City Manager.

~~Upon severance of employment, the maximum accumulation paid shall be one and one-half (1.5) times the annual accumulation amount. No vacation time may be used during an employee's severance notice period.~~ **MOVE TO NEW ARTICLE: SEPARATION PAYMENTS AND BENEFITS**

If an employee takes earned vacation during a time that included a legal holiday, the employee shall be paid holiday pay above and beyond the regular vacation compensation, but not exceed 40 hours weekly.

~~Employees may opt to buy or sell vacation days in accordance with the flexible benefits plan.~~ **MOVE TO XXVI: Health and Benefits Plan**

~~Illustrative Table:~~

0-5 years	(2 weeks/year)
6-10 years	(3 weeks/year)
11-24 years	(4 weeks/year)
25+ years	(5 weeks/year)

Illustrative Table

0 – 5 years	3 weeks/year
6+	4 weeks/year

- B. Notwithstanding the foregoing, employees hired prior to December 1, 2001, shall be entitled to receive 5 weeks of vacation after twenty-five (25) years of continuous service with the City.**

XVI. PERSONAL DAYS LEAVE

Each employee shall be entitled to two (2) non-cumulative Personal Days per year granted on the **first of the month following the** employee's anniversary date. Personal days may be taken for any purpose except as substitution for suspension as a result of disciplinary action. Personal days must be scheduled and approved by the ~~Department Head~~ **employee's supervisor** in accordance with the employee's preference and the needs of the Department, so long as at least forty-eight (48) hours' notice is provided. **Exceptions can be made in extenuating circumstances.**

XX. SICK LEAVE

The provisions of this section shall apply to full-time regular employees and, on a pro-rata basis, part-time regular employees. Sick leave shall be computed and accrued on a monthly basis, including the probationary period of an employee. Sick leave with pay shall be granted to all employees at the rate of one (1) day per calendar month worked, credited at the end of the month. Sick leave for full-time regular employees will be accumulated in accordance with the Flexible Benefit Plan **and will be capped at 20 days**. Sick leave for part-time regular employees hired before June 30, 2014, will be accumulated up to one hundred and twenty (120) days. ~~Effective as of the signing of this Agreement, any~~ Any part-time employee **employees** hired after June 30, 2014, shall ~~accumulated~~ **accumulate** up to seventy-five (75) days.

Earned Personal Leave: Employees completing six (6) consecutive months of employment without taking sick leave will be granted one (1) earned personal day. An employee cannot accrue more than two (2) days of earned personal leave. Employees may sell their non-accumulative personal days during the annual open enrollment period ~~as part of the Flexible Benefits Plan~~. This provision relates only to the earned personal day awarded for non-use of sick leave for six (6) consecutive months. Earned personal days may be taken for any purpose except as substitution for suspension as a result of disciplinary action. Earned personal days must be scheduled and approved by the ~~Library Director~~ **employee's supervisor** in accordance with the employee's preference and the needs of the Department, so long as at least forty-eight (48) hours' notice is provided. **Exceptions can be made in extenuating circumstances.**

Family Sick Leave: ~~Up to three~~ **Three (3)** additional days each year (non-accumulative from year to year) **will be given to employees on the first of the**

month following their anniversary date of hire. This family sick time may be taken by an employee when the ill health of a member of the employee's immediate family requires the employee's care. For purposes of this section, an employee's immediate family shall be deemed to be the spouse, child, stepchild, mother, father, or other dependents living in the same household. An exception may be made by the Library Director where extenuating circumstances exist.

~~Employees who terminate their employment through retirement shall be entitled to a lump sum payment for three quarters of the number of accumulated days due at the rate of pay at the time of termination of service, not to exceed seventy five percent (75%) of one hundred and twenty (120) days or seventy five (75) days of accumulated sick leave, as applicable. For the purpose of this section, retirement shall be defined as having completed ten (10) consecutive years of service with the City of Rochester and being eligible to retire under the New Hampshire Retirement System or other retirement plan paid in part or in full by the City.~~ **MOVE TO NEW ARTICLE: SEPARATION PAYMENTS AND BENEFITS**

~~Employees who terminate their employment by voluntary resignation, and who have served at least ten (10) years with the City of Rochester, shall be entitled to a lump sum payment for one half of the accumulated sick leave due them, at the employee's rate of pay at the time of termination, not to exceed fifty (50%) percent of one hundred and twenty (120) days or seventy five (75) days of accumulated sick leave, as applicable. In the event of termination by reason of death, said payment in the amount of 50% of accrued sick leave shall be made to his/her beneficiary.~~ **MOVE TO NEW ARTICLE: SEPARATION PAYMENTS AND BENEFITS**

Sick leave shall be considered a matter of grace and not a privilege and shall be allowed only in case of actual illness or to keep necessary medical appointments. Sick leave shall be used in minimum blocks of two (2) hours **¼ hour, unless connected to approve FLMA related leave. Sick time may not be used to fill in time for tardiness and/or early punch out times.**

To receive compensation while absent on sick leave, the employee shall notify his/her Department head **supervisor** prior to the time set for beginning his/her daily duties or as may be specified by the Department Head **Library Director**. At the discretion of the Department head, a doctor's certificate may be required for an absence due to illness in excess of three (3) days. If the Department head **Library Director** has a reasonable basis to believe or suspect an employee has abused sick leave privileges, he/she may require a doctor's certificate for an illness of less than three (3) days. ~~Proof of illness or disability may be required at any time by the City Manager, Department Head, or Division Head.~~

XXI. SICK LEAVE TRANSFER

The City Manager may grant a sick leave transfer to an employee if it is determined to be in the best interests of the City and if the following conditions are met:

1. The request must be in writing and for an extended illness of three or more week's duration.
2. The employee must first use all other available paid leave.
3. Employees recovering from workers' compensation injury or illness are not eligible.
4. Employees who wish to donate sick leave must still have ~~30~~ **ten (10)** days left after the donation is made and may donate no more than 5 days in one year.
5. ~~Donation~~ **Donations** are strictly voluntary and anonymous.
6. Donation of leave under this section ~~de~~ **does** not affect eligibility for receipt of a personal leave day for not using sick leave in a twelve-month period.

~~XVIII. BEREAVEMENT LEAVE~~

~~_____ Bereavement Leave shall be granted as follows: _____~~

- ~~1.) Bereavement leave of five (5) consecutive days, including working and non-working days from the date of death without any loss of pay in the event of death of a spouse, mother, father, brother, sister or child.~~
- ~~2.) Special leave of three (3) consecutive days, including working and non-working days, from the date of death without any loss of pay in the event of death of his/her: Father in Law, Mother in Law, Grandchild, or person domiciled in the employee household.~~
- ~~3.) Special leave of one (1) working day with pay, for the purpose of attending the funeral, shall be granted an employee in the event of the death of his/her: _____~~

~~Grandmother _____ Grandfather~~

~~Sister in Law _____ Brother in Law~~

~~Aunt _____ Uncle _____~~

- ~~4.) Under extenuating circumstances, two (2) additional days with pay may be granted under sections 1, 2, and 3 above with the written approval of the Library Director or his/her designee.~~

Bereavement Leave shall be granted as follows:

1.) Bereavement leave of five (5) working days, without any loss of pay in the event of death of:

- Spouse/Partner
- Child/Step Child

2.) Bereavement of three (3) working days, without any loss of pay in the event of death of his/her:

- Mother/Step Mother/Mother-in-Law
- Father/Step Father/Father-in-Law
- Brother/Step Brother
- Sister/Step Sister
- Grandchild/Step Grandchild
- Daughter-in-Law
- Son-in Law

3.) Bereavement of one (1) working day with pay, for the purpose of attending the funeral, shall be granted an employee in the event of the death of his/her:

- Aunt/Uncle
- Niece/Nephew
- Grandparent/Step/in-Law
- Sister-in-Law
- Brother-in-Law

4.) Under extenuating circumstances, two (2) additional days with pay may be granted under sections 1, 2, and 3 above with the written request to the Library Director or his/her designee and final approval from the City Manager. Requests for such additional days shall not be unreasonably denied.

XXV. HOURS OF WORK

A definite reporting time shall be established by the Library for each employee. In the event of a substantial deviation in the commencement of a previously established start time, the City agrees to give the employee as much notice as is practical. Working time for all employees shall start when they are instructed to report to work. **Preliminary schedules of assigned work times shall be posted at least two weeks in advance.**

XXVI. HEALTH AND BENEFIT PLAN

The Flexible Benefits Program as offered by the City of Rochester will be provided to all full-time regular Library employees.

Unit employees who are eligible for health insurance coverage may choose to enroll only in the AllegiantCare NGA7B plan. The City's contribution to the cost of medical insurance (Family, 2-person or single plans) will be:

- ~~7/1/19 to 6/30/20 – 85% of the total premium~~
- ~~7/1/20 to 6/30/21 – 82.5% of the total premium~~
- ~~7/1/21 to 6/30/22 – 82.5% of the total premium~~
- ~~7/1/22 to 6/30/23 – 80% of the total premium~~
- **7/1/23 to 6/30/24 – 78.0% of the total premium**
- **7/1/24 to 6/30/25 – 76.0% of the total premium**
- **7/1/25 to 6/30/26 – 74.0% of the total premium**

The City will pay up to \$300 annually towards the cost of dental insurance for an eligible employee who selects only dental insurance coverage through AllegiantCare.

In order to reduce health insurance costs for the benefit of all involved the City reserves the right to select and substitute a more **cost-effective** alternate health insurance plan to replace the plan(s) identified above. Such alternate plan must provide employees with comprehensive core protection and services that are fundamentally equivalent to the protections and services enjoyed by employees under the plans previously provided by the City. The Union will also agree that the City may add any other plans as long as the plans are optional.

The parties agree to work cooperatively and to negotiate in good faith to avoid the imposition of all taxes, assessments, and/or fees (hereafter "penalties") that may result from the implementation of the so-called "Cadillac Tax" under the Affordable Care Act of 2009.

Employees may opt to buy or sell up to sixty (60) hours of accrued vacation hours and/or sell back to the City eight (8) hours of accrued earned personal hours to reduce their share of medical, dental and/or supplemental life insurance.

Reimbursement accounts:

Reimbursement accounts offer a tax effective way to pay certain healthcare and dependent care expenses. Two types of reimbursement accounts are available to all employees:

- ~~Healthcare reimbursement~~ **Flexible Spending** Account (maximum annual contribution ~~\$2,500~~ **Maximum equal to IRS annual contribution limit FSA**)
 - Dependent care reimbursement account (maximum annual contribution – the lesser of the follows:
 - \$5,000 if you are married and file joint tax returns, or if you are single,
 - \$2,500 if you are married and file separately, or
 - The lower of you and your spouse's income
- These deductions shall be prorated for employees who are employed for less than a full calendar year.

XXVII. EMERGENCY CLOSINGS

In the event that the City Manager, Library Trustees, or their Designee, determines that Library services will be curtailed and/or limited due to storms, power outages or other unforeseen circumstances, the affected employees so notified shall not be required to report to work and employees who have reported for work shall be released without loss of pay or use of earned leave time. When an employee is unable to report to work due to weather conditions, or reports to work and leaves prior the end of their shift, and the City Manager or Library Trustees have not curtailed and/or limited Library services, the employees may draw from vacation time or other appropriate leave. Employees who are not scheduled to work (due to an approved time off request or calling in ~~in~~ **out** prior to the emergency closing determination) shall not be compensated for the emergency closing hours. The provisions of this section shall apply to full and part-time employees.

~~XXVIII. COMPENSATION AND WAGES~~

~~Pay increases will be granted as follows:~~

~~A. Effective July 1, 2016, compensation of each member of the bargaining unit shall be reviewed during the year by his/her department head to determine if an increase in pay is to be made in accordance with the City's established Merit Pay Plan which is incorporated by reference herein. Any merit salary plan adjustment shall be made from 0% to 4% and given in conjunction with the employee's annual performance evaluation and will be effective July 1st. Any merit salary increase so awarded shall be based on a rating of employees by their supervisor using a systematic and formal evaluation process. Performance found to be meritorious shall be certified by the supervisor and a pay adjustment made. Merit pay increases will not be diminished because of financial considerations of the Library or the City.~~

~~B. To the extent an employee's proposed merit increases causes the employee to exceed his/her pay range, the employee shall be entitled to an amount not to exceed two and one half percent (2.5%) above the then top of the pay 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 base wages.~~

~~C. In addition, effective July 1, 2015, each member of the bargaining unit shall be eligible for an annual bonus for exemplary service. This exemplary service bonus shall be awarded at the discretion of the City Manager and may be awarded in an amount up to 2.0% of the recipient's salary and shall not become part of base wages.~~

~~D. The maximum pay range will adjust by the percentage change in the CPI index for Boston Cambridge Newton (November to November of the prior year) annually on July 1, during the term of this Agreement. Any future adjustment for a successor collective bargaining agreement in these pay ranges shall be negotiated by the parties.~~

- 1. Effective July 1, 2023, employees shall be placed on a Merit Track (Exhibit B) in accordance with their classification grade (Exhibit A).**
- 2. Employees will be eligible for a Merit Track advancement effective the first full pay period including their anniversary date of hire, based upon the results of a performance evaluation process that shall include, but not be limited to, a written evaluation (Exhibit C) performed by the employee's supervisor, the personnel file and ~~such other information to determine in his/her discretion is relevant~~ other material and performance issues that is in his/her discretion related to the evaluation before making a recommendation to the City Manager for Merit Track advancement. The Merit Advancement Worksheet (Exhibit C) will have a total of one hundred available points. Employees that do not receive a score of 70 or better shall not be recommended for Merit Track advancement. Merit Track advancement will not be diminished because of financial considerations of the Department or the City.**
- 3. The merit tracks attached hereto will be adjusted as follows:**
 - A. Effective July 1, 2023: 4.0%¹**
 - B. Effective July 1, 2024: 3.0%**
 - C. Effective July 1, 2025: 3.0%**

Employees on the top step in the prior fiscal year shall receive, in addition to any merit track COLA adjustment, a two percent 2.0% one-time payment (not added to the base) in lieu of a step increase

¹ Employees shall receive no less than 5.0% on 7/1/2023, provided however that on their anniversary the amount of the pay increase shall be 2.75% above the amount set forth in attached spreadsheets. The Parties shall execute an MOU to this effect.

annually. (must score a 70 or better on evaluation).

- 4. Any employee that is denied Merit Track advancement, may request a re-evaluation anytime between 90 and 120 days after the their anniversary date. If the City Manager, after consulting with the Library Director, agrees that a significant improvement has been made since the original evaluation was completed, the City Manager will have the final discretion to make a final decision on whether a Merit Track advancement shall be awarded. Any such adjustment will be effective on the date of the City Manager's decision and shall not be retroactive.**

XXX. LONGEVITY

Longevity table for full or part-time employees hired on or before 06/30/2019:

Years of Service	Annual Payment
3-5 years	\$250
6-10 years	\$375
11-15 years	\$500
16-20 years	\$650
21 years of more	\$700

Longevity table for full or part-time employees hired on or after 07/01/2019:

10-15 years	\$500
16-20 years	\$650
21+ years	\$700

Employees shall receive longevity pay annually on the employee's anniversary date. ~~Upon termination of employment with the City, employees shall receive longevity pay pro-rated for the number of days of longevity in that year calculated from the employee's anniversary date to the day employee terminates.~~ **MOVED TO NEW ARTICLE: Separation Payments and Benefits**

~~ATTACHMENT A
CITY OF ROCHESTER
AND TEAMSTER LOCAL 633 OF NEW HAMPSHIRE
LIBRARY WAGE MINIMUM AND MAXIMUM RANGE~~

	FY20— 7/1/2019		FY21— 7/1/2020		FY22— 7/1/2021		FY23— 7/1/2022	
	MIN	MAX	MIN	MAX	MIN	MAX	MIN	MAX
LIBRARIAN II	25.24	33.79						
LIBRARIAN I	22.84	30.63						
SECRETARY II	18.61	24.99						
LIBRARY ASST	17.88	24.30						

ARTICLE NEW: SEPARATION PAYMENTS AND BENEFITS

ARTICLE NEW: SEPARATION PAYMENTS AND BENEFITS

- **For full-time employees, 'Retirement or Retire'** as used in this Agreement shall mean withdrawal from active service having been granted a retirement allowance by the New Hampshire Retirement System (NHRS) and the employee actually drawing such a retirement allowance no later than 90 days after separation.
- **For full-time and part-time employees, 'Resignation'** shall be defined as voluntarily separating from employment with the City other than for the purposes of retirement.
- **Dismissal During the Probationary Period.** If at any time during the probationary period, the ~~agency head~~ Library Director with approval from the City Manager determines that the services of a new or rehired employee have been unsatisfactory, the employee may be dismissed from his/her position without right of appeal or grievance. Written notice of such dismissal shall be given to the employee.

Upon receipt of a signed letter of intent to separate from the service with the City of Rochester, a severance payment shall be issued as follows:

1. **Vacation:** Upon resignation or retirement, 100% of accumulated vacation after completion of the 6 months probationary period. If an employee resigns from the City during his probationary period, vacation pay-out will be pro-rated based upon his/her service time. The

maximum payout shall not exceed one and one-half (1.5) times the annual accrual amount.

2. Sick: 75% of accumulated sick time shall be paid if the employee with a minimum of ten (10) years of continuous service with the City of Rochester and who has been granted a retirement allowance from the NHRS and is actually drawing such an allowance within 90 days of separation ~~(Max payout of 75 sick days)~~.
3. Sick: 50% of accumulated sick time shall be paid if the employee submits his/her resignation and has completed ten (10) years of continuous service with the City of Rochester at the time of separation ~~(Max payout of 60 sick days)~~.
4. Personal: Upon resignation or retirement, 100% of accumulated personal time.
5. Earned Personal: Upon resignation or retirement, 100% of accumulated earned personal time.
6. Compensatory Time (Comp Time): Upon resignation or retirement, 100% of accumulated comp time.
7. Longevity: Upon resignation or retirement, pro-rated amount calculated from the employee's anniversary date of hire to the employee's date of separation.
8. The employee shall not receive any accrued benefits except compensatory time if the employee is dismissed during the probationary period.

For purposes of determining sick and vacation benefits, the number of days for each shall be based upon the employee's accruals and his/her per diem rate at the time of separation.

In the event of termination by reason of death, while employed by the City of Rochester, said payment in the amount of 100% of accrued sick leave shall be made to his/her beneficiary.

Teamsters Merit Track

06/01/2023

FY24 with 4% COLA & 2.75% STEPS

Percent between steps=	GRADE	1	2	3	4	5	6	7	8	9	10	11	12
2.75%	21	20.07	20.62	21.19	21.77	22.37	22.99	23.62	24.27	24.94	25.62	26.33	27.05
	22	0	0	0	0	0	0	0	0	0	0	0	0
	23	20.89	21.47	22.06	22.67	23.29	23.93	24.59	25.26	25.96	26.67	27.41	28.16
	24	24.10	24.76	25.44	26.14	26.86	27.60	28.36	29.14	29.94	30.76	31.61	32.48
	25	0	0	0	0	0	0	0	0	0	0	0	0
	26	0	0	0	0	0	0	0	0	0	0	0	0
	27	25.64	26.34	27.07	27.81	28.57	29.36	30.17	31.00	31.85	32.73	33.63	34.55
	28	0	0	0	0	0	0	0	0	0	0	0	0
	29	28.33	29.11	29.91	30.73	31.58	32.45	33.34	34.25	35.20	36.16	37.16	38.18

FY25 with 3% COLA & 2.75% STEPS

Percent between steps=	GRADE	1	2	3	4	5	6	7	8	9	10	11	12
2.75%	21	20.67	21.24	21.83	22.43	23.04	23.68	24.33	25.00	25.69	26.39	27.12	27.86
	22	0	0	0	0	0	0	0	0	0	0	0	0
	23	21.52	22.11	22.72	23.35	23.99	24.65	25.32	26.02	26.74	27.47	28.23	29.00
	24	24.82	25.50	26.20	26.92	27.66	28.43	29.21	30.01	30.84	31.68	32.55	33.45
	25	0	0	0	0	0	0	0	0	0	0	0	0
	26	0	0	0	0	0	0	0	0	0	0	0	0
	27	26.41	27.13	27.88	28.64	29.43	30.24	31.07	31.93	32.81	33.71	34.63	35.59
	28	0	0	0	0	0	0	0	0	0	0	0	0
	29	29.18	29.98	30.81	31.65	32.52	33.42	34.34	35.28	36.25	37.25	38.27	39.33

FY26 with 3% COLA & 2.75% STEPS

Percent between steps=	GRADE	1	2	3	4	5	6	7	8	9	10	11	12
2.75%	21	21.29	21.88	22.48	23.10	23.74	24.39	25.06	25.75	26.46	27.18	27.93	28.70
	22	0	0	0	0	0	0	0	0	0	0	0	0
	23	22.17	22.78	23.40	24.05	24.71	25.39	26.08	26.80	27.54	28.30	29.07	29.87
	24	25.56	26.27	26.99	27.73	28.49	29.28	30.08	30.91	31.76	32.63	33.53	34.45
	25	0	0	0	0	0	0	0	0	0	0	0	0
	26	0	0	0	0	0	0	0	0	0	0	0	0
	27	27.20	27.95	28.71	29.50	30.31	31.15	32.00	32.88	33.79	34.72	35.67	36.65
	28	0	0	0	0	0	0	0	0	0	0	0	0
	29	30.05	30.88	31.73	32.60	33.50	34.42	35.37	36.34	37.34	38.37	39.42	40.51

FY27 with 2% COLA & 2.75% STEPS

Percent between steps=	GRADE	1	2	3	4	5	6	7	8	9	10	11	12
2.75%	21	21.72	22.32	22.93	23.56	24.21	24.88	25.56	26.26	26.98	27.73	28.49	29.27
	22	0	0	0	0	0	0	0	0	0	0	0	0
	23	22.61	23.23	23.87	24.53	25.20	25.89	26.61	27.34	28.09	28.86	29.66	30.47
	24	26.08	26.79	27.53	28.29	29.06	29.86	30.68	31.53	32.40	33.29	34.20	35.14
	25	0	0	0	0	0	0	0	0	0	0	0	0
	26	0	0	0	0	0	0	0	0	0	0	0	0
	27	27.74	28.50	29.29	30.09	30.92	31.77	32.64	33.54	34.47	35.41	36.39	37.39
	28	0	0	0	0	0	0	0	0	0	0	0	0
	29	30.66	31.50	32.37	33.26	34.17	35.11	36.07	37.07	38.09	39.13	40.21	41.32

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City Clerk's Office

**RESOLUTION APPROVING COST ITEMS ASSOCIATED WITH
PROPOSED
CITY OF ROCHESTER
MULTI-YEAR COLLECTIVE BARGAINING
AGREEMENT WITH
LOCAL 863 OF THE AMERICAN
FEDERATION OF STATE, COUNTY AND
MUNICIPAL EMPLOYEES**

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 cost items associated with the multi-year year collective bargaining agreement between the City of Rochester and the LOCAL 863 OF THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES (AFSCME) Bargaining Unit, covering the period July 1, 2023 to June 30, 2026, as set forth in the proposed contract, and as more particularly detailed on the attached "**EXHIBIT A: AFSCME – JULY 2023**," which includes a summary financial analysis of the annual costs of the contract to the City provided by the Rochester Director of Finance, is hereby approved. The provision of funds necessary to fund the aforementioned, and hereby approved, collective bargaining agreement "cost items" in the first year of the agreement will be contained in the Fiscal Year 2024 operating budget of the City.

EXHIBIT A: AFSCME - JULY 2023

City Health Contribution	80/20	80/20	80/20	80/20
	ABSOS 20/40 RX 10/20/45 DED \$1000/\$3000	ABSOS 20/40 RX 10/20/45 DED \$1000/\$3000	ABSOS 20/40 RX 10/20/45 DED \$1000/\$3000	ABSOS 20/40 RX 10/20/45 DED \$1000/\$3000
Health Plan				
Projected Health Increase		7.60%	6.00%	6.00%
	Current FY23	FY24	FY25	FY26
Wages				
Base Wage	\$2,306,553.60	\$2,494,232.00	\$2,641,912.00	\$2,790,923.20
Longevity	\$6,400.00	\$6,900.00	\$7,100.00	\$7,100.00
On-call	\$81,184.00	\$89,484.00	\$89,484.00	\$89,484.00
Total Wages	\$2,394,137.60	\$2,590,616.00	\$2,738,496.00	\$2,887,507.20
Dollar Change		\$196,478.40	\$147,880.00	\$149,011.20
% Change		8.21%	5.71%	5.44%
Benefits				
Medicare	\$34,715.00	\$37,563.93	\$39,708.19	\$41,868.85
Social Security	\$148,436.53	\$160,618.19	\$169,786.75	\$179,025.45
Health Insurance	\$486,153.17	\$522,693.12	\$553,730.71	\$586,630.55
Opt Out	\$19,800.00	\$19,800.00	\$19,800.00	\$19,800.00
Dental	\$12,650.00	\$12,650.00	\$12,650.00	\$12,650.00
Life Insurance	\$4,982.16	\$5,387.54	\$5,706.53	\$6,028.39
STD Disability Insurance	\$12,455.39	\$13,468.85	\$14,266.32	\$15,070.99
LTD Disability Insurance	\$17,991.12	\$19,455.01	\$20,606.91	\$21,769.20
Total Benefits & Rollups	\$737,183.36	\$791,636.65	\$836,255.42	\$882,843.43
Dollar Change		\$54,453.29	\$44,618.77	\$46,588.01
% Change		7.39%	5.64%	5.57%
Totals				
Total Wages, Benefits & Rollups	\$3,131,320.96	\$3,382,252.65	\$3,574,751.42	\$3,770,350.63
Dollar Change		\$250,931.69	\$192,498.77	\$195,599.21
% Change		8.01%	5.69%	5.47%

48 Total Employees - 100% FT



06/01/2023

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

Local 863 AFSCME Collective Bargaining Agreement

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	June 6, 2023		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED			
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	17	

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

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

LEGAL AUTHORITY

NH RSA 273-A: Public Employee Labor Relations

SUMMARY STATEMENT

The Collective Bargaining Agreement (CBA) between Local 863, AFSCME group and the City expires on June 30, 2023. The negotiating teams for both sides reached a Tentative Agreement (TA) and the AFSCME personnel ratified the agreement. It now comes to the City Council for consideration for final approval.

RECOMMENDED ACTION

Adoption of this CBA.

**CITY OF ROCHESTER AND LOCAL 863 OF THE AMERICAN
FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES**

January 23, 2023

TENTATIVE AGREEMENT

ARTICLE V: DEFINITIONS

- 5.1 "Director" shall refer to and mean the appropriate management personnel head of each department with employees covered by this collective bargaining agreement.
- 5.2 "Probationary Employee" all newly hired employees shall be in a probationary status for twelve (12) months. If terminated or disciplined during the probationary period, the decision of the Director is final and not subject to grievance. Medical and dental insurance coverage will begin on the first of the month after the first day of work. ~~There shall be no paid sick leave available during the employee's first six (6) months of employment as a probationary employee nor will the employee be eligible for the benefit described in Section 12.5, but at the end of the first six (6) months the employee shall be credited with forty eight (48) hours of accumulated sick leave. Probationary employees shall be eligible for personal leave and comp time.~~

ARTICLE VII: WORK WEEK AND OVERTIME

- 7.4 All time worked over forty (40) hours in any one week shall be compensated at the rate of time and one-half. All work performed on Sunday shall be compensated at the rate of time and one-half (except as worked in accordance with the normal work scheduled shown in Appendix B). Sunday shall start at 12:00 o'clock midnight Saturday and end at 7:00 AM Monday.
- As an alternative to payment of wages at time and one-half (1 ½) for overtime work, an employee may request to take this overtime as compensatory time off. Approval of the request is required by the Director. Each one (1) hour of overtime to be compensated at the rate of 1 ½ hours (example: 8 hours of overtime equals 12 hours of compensatory time off.) or two (2) hours for Thanksgiving, Christmas or New Year's Day (per Article 11.5). ~~A maximum of eighty (80) compensatory hours will be permitted to accumulate for employees hired prior to 7/1/2015; a maximum of sixty (60) compensatory hours will be permitted to accumulate for employee hired on or after 7/1/2015.~~ **A maximum of eighty (80) compensatory hours will be permitted to accumulate. Once the maximum amount is reached, an employee will not be allowed to accrue any additional compensatory time until his balance is below the maximum.** Employees are allowed to use compensatory time off in one quarter (1/4) hour

increments. **Any compensatory time unused at the end of the last pay period in December June will be paid at the current hourly rate in the first full last payroll period in December-June.**

7.7 In an emergency situation such as a snowstorm, prolonged water breaks, prolonged disruption of sewer service or the system, or other natural disaster, any one of which represents a reasonably substantial threat to the health, welfare or safety of the City of Rochester, its inhabitants and businesses, the Director of Public Works shall have the right and authority to change shifts and hours of work during that emergency and for forty-eight (48) hours thereafter. **Employees may be required to perform snow removal after storms.**

7.10 Stand-By Duties

(a) Employees who elect during the June 15 to June 30 "sign-up" period for stand-by duty during their normal off duty hours shall be in immediate communication with their Department or Police Dispatch during the standby period, and shall report to work immediately, but in no case longer than 30 minutes from the time of first contact.

(b) For the purpose of this Article, a standby day shall mean Monday through Friday (16 hours per day) and Saturday, Sunday, and Holidays (24 hours per day). An employee who is on standby time will be paid a differential of ~~two dollars and twenty-five cents (\$2.25)~~ **two dollars and fifty cents (\$2.50)** per hour for such responsibility even if not called in. If called in employee will receive a minimum of three (3) hours at overtime rates to cover the actual time worked, in addition to the standby differential.

(c) The Departments agree to provide employees on call with communication devices, such as "beepers".

ARTICLE X: COMPENSATION

~~10.1 The compensation schedule, payable bi-weekly to members of the Public Works Department, shall be governed by Appendix A as attached to this Agreement. Annually on July 1, during the term of the Agreement, the pay ranges contained in Appendix A will adjust by the percentage change in the CPI index for Boston-Cambridge-Newton (from November to November of the year preceding the effective date of the pay range adjustment). Any future adjustment for a successor Agreement in these pay ranges shall be negotiated by the parties.~~

~~10.2 Effective 7-1-2019, employees will be eligible for pay adjustments as follows:~~

- ~~• Employees that receive incentive pay (10.3) for NH Inspection License, CDL-A and incentive for certifications or license that are required of their position will have the incentive added to their base hourly rate (6/30/19 rate); those required incentives will not be paid as of the effective date of this agreement.~~

- ~~Employees will be eligible for a market pay adjustment based on time in position: .5% for each year up to 8; .33% for each year after 8 and up to 25.~~
- ~~Hourly rates will be adjusted based on new minimum and maximum hourly rates (Appendix A) — employees will receive a minimum of 2.75% overall adjustment.~~
- ~~Compression adjustment of 5% will be made to the hourly rate of one Light Equipment Operator with 5.65 years in position.~~

~~Effective 7-1-2020, employees will be eligible for a base wage merit increase of between zero percent (0.0%) and four percent (4.0%) based upon the results of the performance evaluation process.~~

~~Annual Evaluation Process:~~

1. ~~April 1st — Supervisors shall complete a draft evaluation (Exhibit B) of each position/employee; Each employee will be given a draft evaluation form for review and notification of a meeting date/time with their supervisor (to take place prior to April 15).~~
2. ~~April 15th — All supervisor/employee meetings to discuss the draft evaluation form shall be completed.~~
3. ~~April 30th — The supervisor shall forward the final evaluation and merit worksheet forms to the Director.~~
4. ~~May 15th — The Director will review the final written evaluation, the personnel file, the recommendation of the supervisor (with ongoing input from the Leads), and such other information the Director may determine in his/her discretion is relevant before making a final determination of the base wage adjustment. During the term of this agreement, the decision of the Director regarding base wage adjustments shall not be grievable. Merit pay increases will not be diminished because of financial consideration of the Department or the City.~~
5. ~~Once the City Manager has made the final approval, copies of evaluations will be forwarded to each member of the bargaining group.~~

~~Employees who reach the top of his/her respective pay range shall be eligible for a lump-sum payment annually of up to two percent (2.0%). Except for the initial year of this agreement (FY20), the maximum increase any employee may receive in any fiscal year is four percent (4.0%) of the employee's current base wage.~~

~~The City Manager may, with a recommendation from the Director, award up to a 2.0% annual bonus for extraordinary service to the City of Rochester or its taxpayers by a bargaining unit employee. This bonus shall be in addition to any merit pay and shall be paid in the first pay period of December. This bonus shall not be added to the employee's base wages. The grant or failure to grant this extraordinary annual bonus by the City Manager shall not be subject to the grievance process.~~

1. **Effective July 1, 2023, employees shall be placed on a Merit Track (Exhibit B) in accordance with their classification grade (Exhibit A).**
2. **Employees will be eligible for a Merit Track advancement effective the first full pay period including their anniversary date of hire, based upon the results of a performance evaluation process that shall include, but not be limited to, a written evaluation (Exhibit C) performed by the employee's supervisor, the personnel file and such other information to determine in his/her discretion is relevant before making a recommendation to the City Manager for Merit Track advancement. The Merit Advancement Worksheet (Exhibit C) will have a total of one hundred available points. Employees that do not receive a score of 70 or better shall not be recommended for Merit Track advancement. Merit Track advancement will not be diminished because of financial considerations of the Department or the City.**
3. **The merit tracks attached hereto will be adjusted as follows:**
 - A. **Effective July 1, 2023: 4.0%**
 - B. **Effective July 1, 2024: 3.0%**
 - C. **Effective July 1, 2025: 3.0%**

Employees on the top step in the prior fiscal year shall receive, in addition to any merit track COLA adjustment, a two percent 2.0% one-time payment (not added to the base) in lieu of a step increase (must score a 70 or better on evaluation).

4. **Any employee that is denied Merit Track advancement, may request a re- evaluation anytime between 90 and 120 days after the anniversary date. If the City Manager, after consulting with the department head, agrees that a significant improvement has been made since the original evaluation was completed, the City Manager will have the final discretion to make a final decision on whether a Merit Track advancement shall be awarded. Any such adjustment will be effective on the date of the City Manager's decision and shall not be retroactive.**

10.3 Incentive Program

(d) Vehicle mechanics who possess or acquire a New Hampshire Inspection License, prior to 6/30/2019, shall receive an additional \$.20 per hour to be added to their regular hourly rate prior to any wage adjustment on 7/1/2019. Said mechanics shall not receive any "on-call" compensation, but shall be required, as any other employee, to report to work in accordance with Article 7.5 when called in by management. HEO, MEO, Lead HW, Lead W/S, Mechanic and Lead Mechanics hired after 6/30/2019 will be required to possess or acquire a CDL-A as a requirement of their **position**. For employees that are required to possess a CDL and obtain a CDL-A, prior

to 6/30/2019, shall receive an additional \$.20 per hour to be added to their regular hourly rate prior to any wage adjustment on 7/1/2019. **All AFSCME positions may be designated as on-call positions.**

10.5 Those employees assigned the responsibility of oversight of the Water Treatment Plant by means of a remote laptop computer terminal (SCADA system) will be paid a differential of ~~two dollars and seventy-five cents (\$2.75)~~ **three dollars (\$3.00)** per hour for such responsibility, during those hours beyond the regular work schedule. It is understood that this duty is shared by unit members and those assigned normal week-end duty will also have the SCADA assignment for those same week-ends.

10.6 **Longevity:** ~~Effective July 1, 2018, the~~ **The** City shall provide longevity pay to full-time employees based on continuous years of service as follows:

<u>Years of Service</u>	<u>Annual Payment</u>
5-9	\$250
6-10	\$375
10 – 15	\$500
16 – 20	\$650.
21+	\$700.

Payment shall be paid annually on the payroll that includes the employee's anniversary date. ~~Upon termination of employment with the City, employees shall receive longevity pay pro-rated for the number of days of longevity in that year calculated from the employee's anniversary date to the day employee terminates.~~ ***Moved to Separation Article.***

ARTICLE XII: SICK LEAVE

12.2 **Family Sick:** ~~Up to three~~ **Three** additional days each year (non-accumulative from year to year) **will be given to employees on the first of the month following their anniversaries.** This time may be taken by an employee when the ill health of a member of the employee's immediate family requires the employee's care. For purposes of this section, an employee's immediate family shall be deemed to be the spouse, child, stepchild, mother or father. An employee's immediate family shall also be deemed to be other dependents living in the same household. An exception may be made by the Department head where extenuating circumstances exist.

ARTICLE XIII: VACATIONS

~~13.1 Each covered full-time employee shall be granted a vacation in each fiscal year without loss of pay. Such vacations shall be computed in the following manner:~~
~~Employees hired prior to 7/1/2015: Each employee shall accrue paid vacation time at the rate of 6.67 hours for each month of full-time employment during each employment year through and including the fifth (5th) employment year. After the~~

~~commencement of the sixth (6th) year of full-time employment, each employee shall accrue paid vacation time at the rate of 10 hours for each month of full time employment during each employment year through and including the tenth (10th) employment year. After commencement of the eleventh (11th) year of full-time employment, each employee shall accrue paid vacation at the rate of 13.33 hours for each month of full-time employment during each employment year through and including the twenty-fourth (24th) year of full-time employment. After commencement of the twenty-fifth (25th) year of full-time employment, each employee shall accrue paid vacation time at the rate of 16.66 hours for each month of full-time employment during each calendar year thereafter.~~

Illustrative Table:

1-5 years	10 days/year
6-10 years	15 days/year
11-24 years	20 days/year
25+ years	25 days/year

~~13.2 Vacations shall be taken by week(s) or ½ day(s) as approved by the Director of Public Works or his designee, permission to be given in writing. Each employee shall give the Director of Public Works at least one (1) week advance notice of his/her desire to utilize a specific week(s) for his/her vacation which shall be subject to the approval of the Director of Public Works. Vacations shall be taken by week(s), or ½ day(s) in increments of no less than one hour, as approved by the Director of Public Works or his designee, permission to be given in writing.~~

~~13.3 For employees hired prior to 7/1/2015, the maximum accumulation shall be one and one-half (1.5) times the annual accumulation amount. Upon reaching the maximum, monthly additions to the total shall cease until usage reduces the accumulation.~~

~~13.4 Employees hired after 7/1/2015: Each eligible employee shall be granted non-cumulative vacation days (see Illustrative table below) each year granted on the first of the month following the employee's anniversary date. Vacation days are to be used within the year they are granted.~~

Illustrative Table (hired after 7-1-2015):

1-5 years	10 days/year
6-10 years	15 days/year
11-24 years	20 days/year
25+ years	25 days/year

~~13.5 In the event the employee's legitimate job responsibilities or an approved leave of absence (FMLA or worker's comp) prevent vacation usage as outlined above, an exception shall be granted with an approved plan for vacation usage bringing the employee's accumulations within the specified limits.~~

~~13.6 During the City's open enrollment period, employees may opt to buy or sell back to the City up to 32 hours of accrued vacation hours and/or sell back to the City 8~~

~~hours of accrued earned personal hours in exchange for Benefit Bucks (used for the employee's share of medical, dental and/or supplemental life insurance). However, after the exchange, the employee still must have at least five days of vacation leave.~~

13.1 The provisions of this section shall apply to full-time regular employees.

13.2 Employees may use vacation time after 6-months during the one-year probation period. ~~If an employee leaves the city during his probationary period, vacation pay-out will be pro-rated based upon his service time.~~
Moved to Separation Article.

13.3 Vacation time will be accrued on a bi-weekly basis.

13.4 Vacation time will accrue in accordance with the following table:

Illustrative Table

0 – 5 years	3 weeks/year
6+	4 weeks/year

The current employees of the Unit hired prior to 9/21/1999, shall be grandfathered and shall receive 5 weeks of vacation after 25 years of continuance service.

13.5 The Maximum accumulation shall be one and one-half (1.5) times the annual accumulation amount. Upon reaching the maximum accumulation, monthly additions to the total shall cease until usage reduces the accumulation.

13.6 Applications for vacation leave shall be approved by the Department Head and shall be chosen based on seniority, except that no employee shall select more than two (2) weeks at one time until all employees have been given an opportunity to choose their preferred vacation time.

The employer shall approve or reject a request for vacation time in writing within ten (10) business days, exclusive of the absence of the employee's supervisor or designee, after receiving a properly executed application for leave. A rejected request for vacation time shall state the reason for the rejection.

ARTICLE XIV: SPECIAL LEAVE

~~14.1 Bereavement:~~ ~~Funeral leave shall be granted as follows:~~

~~(a) Special Leave for five (5) consecutive days including working and non-working days from the date of death without loss of pay in the event of death of a spouse or child.~~

~~(b) Special Leave of three (3) consecutive days including working and non-working days from the date of death without any loss of pay in the event of death of his:~~

~~Father _____ Sister _____ Step Parents~~

~~Mother _____ Brother~~

~~Father-in-law _____ Mother-in-law~~

~~or~~

~~Relative domiciled in the employee's household.~~

~~(c) Special Leave of one (1) working day with pay, for the purpose of attending the funeral, shall be granted an employee in the event of the death of his:~~

~~Grandmother _____ Sister-in-law~~

~~Grandfather _____ Brother-in-law~~

~~Aunt _____ Uncle~~

~~Grandchild~~

~~(d) Under extenuating circumstances, two (2) additional days with pay may be granted under Sections (a), (b), and (c) above, with the written approval of the Director of Public Works.~~

14.1 Bereavement Leave shall be granted as follows:

(a) Bereavement leave of five (5) working days, without any loss of pay in the event of death of:

- **Spouse/Partner**
- **Child/Step Child**

(b) Bereavement of three (3) working days, without any loss of pay in the event of death of his/her:

- **Mother/Step Mother/Mother-in-Law**
- **Father/Step Father/Father-in-Law**
- **Brother/Step Brother**
- **Sister/Step Sister**
- **Grandchild/Step Grandchild**
- **Daughter-in-Law**
- **Son-in Law**

(c) Bereavement of one (1) working day with pay, for the purpose of attending the funeral, shall be granted an employee in the event of the death of his/her:

- **Aunt/Uncle**
- **Niece/Nephew**
- **Grandparent/Step/in-Law**

- **Sister-in-Law**
- **Brother-in-Law**

~~(e)~~ **Under extenuating circumstances, two (2) additional days with pay may be granted under sections 1, 2, and 3 above with the written request to the department director or his/her designee and final approval from the City Manager.**

- 14.2 **Jury Duty:** An employee called as a juror will be paid the difference between the fee received for such service and the amount of straight time earnings lost by reasons of such service. Satisfactory evidence of jury service must be submitted to the Director.
- 14.3 **Military Leave:** Any member of the Department who is called to active military service as a member of the Armed Forces of the United States of America, or who is engaged in activities in the Reserved Forces of the United States of America or National Guard, shall be granted a leave of absence without pay to perform such duties without loss of any employment rights. Such leave shall be considered "Military Leave".
- 14.4 **Family Medical Leave:** Refer to City of Rochester Policy and Procedure Memo No. 2.003; Subject: Family Medical Leave
- 14.5 **Personal Leave:** Employees who have completed less than five (5) years of service will be provided with eight (8) hours of personal leave per year, on a non-cumulative basis, for the purpose of attending to business or personal matters that cannot be accomplished during non-working hours. **This time is granted on the first of the month following the employee's anniversary date.** Such time may be taken in one-half ($\frac{1}{2}$) days. Absences shall be approved in advance by the Director. Personal leave of sixteen (16) hours per year, under the same conditions, will be provided to employees who have completed five (5) years of service with the City.

ARTICLE XV: WORKER'S COMPENSATION

- 15.1 An employee out of work due to a job-connected injury shall receive worker's compensation. The difference between the amount paid to the employee through worker's compensation and the employee's regular ~~net~~ wage shall be paid to the employee by the City for a period of the first twenty (20) work days of said job connected injury; said amount shall not be charged against the employee's accumulated sick leave or vacation time. The actual payment of wages shall be a combination of the worker's compensation benefit as determined by the Department of Labor and a supplemental payment by the City which will be the difference between the worker's compensation payment and the employee's ~~net~~ regular compensation, to be paid on a bi-weekly basis
- 15.2 At the end of the of the twenty (20 day period) of said job connected injury, the employee shall continue to receive both worker's compensation benefit and the difference between that benefit and the employee's regular compensation,

except that the differential between the worker's compensation benefit and the employee's ~~net~~ regular compensation shall be charged against the employee's accrued sick leave, if any, and thereafter, against vacation leave. The employee may elect to receive only the worker's compensation benefit and decline to receive the differential between the worker's compensation benefit and the ~~net~~ regular weekly compensation, so as to avoid the charge against sick leave or vacation leave.

ARTICLE XIV: CLOTHING/EQUIPMENT

Increase footwear allowance to \$350.00 per year.

ARTICLE XVII: SAFETY AND HEALTH

~~17.2.1 In the operation of city plowing trucks on city streets and highways two (2) men will be used from dusk to dawn and at all times when a wing plow is attached and being used. In plowing operations during the day, assuming the plowing vehicle is radio equipped and operating, one (1) man will operate the vehicle unless, for safety reasons, the employee requests a second man and the Director approves the second man for that reason, or in the event the Director assigns a second man.~~

~~During the term of this Agreement, the City may implement a voluntarily incentive program in lieu of the use of a wingman based on the following conditions:~~

- ~~A. Any qualified truck driver may volunteer and should the number of volunteers exceeds the available trucks, the Director of Public Works will select the drivers for this incentive program;~~
- ~~B. The City shall provide the necessary equipment such as plow laser and back up camera for operating a snowplow truck in conditions which normally would be staffed by two persons;~~
- ~~C. The driver shall be paid a stipend of \$2.50 per hour;~~
- ~~D. The City shall determine the number of snowplows available for this pilot program;~~
- ~~E. The City and the Union representatives shall meet on an as needed basis to review the implementation of this pilot program and may modify these conditions by mutual written agreement; and~~
- ~~F. This is a pilot program which will terminate as of the expiration date of the Collective Bargaining Agreement unless mutually extended in writing between the City and the Union or when all snow removal vehicles are equipped with the necessary equipment as outlined in 17.2.B above.~~

~~In the operation of radio equipped vehicles for sanding and salting equipment, one (1) person shall operate the same.~~

ARTICLE XVIII: MEDICAL INSURANCE

~~18.1 All employees shall be provided with comprehensive medical insurance coverage per the following: The baseline for coverage comparison shall be the ABSOS20/40/1KDED and RX10/20/45. The City's contribution to medical insurance premiums shall be limited 80% of the ABSOS20/40/1KDED and RX 10/20/45 plan.~~

~~a) The employee share of premiums shall be paid by the individual employee through payroll deductions.~~

~~b) A Section 125 account, as permitted by the IRS, will be made available to employees who wish to make their contributions to the health and dental plans on a pre-tax basis.~~

18.1 All employees shall be provided with comprehensive medical insurance coverage by the City of Rochester. The City's contribution to medical insurance premiums will be limited to 80% of the total premium of PLAN A towards PLAN A, PLAN B, or PLAN C.

Plan A – ABSOS20/40/1KDED(07L) - RX10/20/45

Plan B – ABSOS25/50/3KDED – RX 10/20/45

Plan C – Lumenos2500(07L) – RX Anthem

(a) The employee share of premiums shall be paid by the individual employee through payroll deductions.

(b) During the City's open enrollment period, employees may opt to buy or sell back to the City up to 32 hours of accrued vacation hours and/ or sell back to the City eight (8) hours of accrued earned personal hours to reduce their share of medical, dental, and/or supplemental life insurance. However, after the exchange, the employee still must have at least five (5) days of vacation leave.

ARTICLE XIX: DENTAL INSURANCE

~~19.1 All employees covered by this agreement are provided with the Northeast Delta Dental Plan through the New Hampshire Municipal Association Health Insurance Trust. That plan or one with the same or greater benefits is provided by the City with the City paying up to three hundred dollars (\$300.00) per year towards the cost of the benefit. Employee pays costs above that amount through payroll deduction. The Base Option V Coverage A, B; Mid Option III Coverage A, B, C and High Option I coverage A, B, C, and D are available to the employee in either Single, Two Person or Family Plans.~~

All employees covered by this agreement are provided with a Delta Dental Plan through HealthTrust. The City contributes up to three hundred dollars

(\$300.00) per year towards the cost of this benefit. Employees pay the premium cost above \$300.00 through payroll deduction. The Base Option 5 Coverage A, B; Mid Option 3D Coverage A, B, C and High Option 1S coverage A, B, C, and D are available to the employee in either Single, Two-Person or Family Plans.

ARTICLE XXI: SEVERANCE BENEFIT

- ~~21.1 Upon a full time employee's retirement from his/her employment with the City of Rochester, that employee shall receive payments on a 50% basis for accumulated benefits under sick leave, 100% of accumulated vacation.~~
- ~~21.2 For purposes of determining sick and vacation benefits, the number of days for each shall be calculated from the employee's date of hire to the date of the employee's retirement. *Moved to Separation Article.*~~

ARTICLE XXI: SEPARATION PAYMENTS AND BENEFITS

- **For full-time employees, 'Retirement or Retire'** as used in this Agreement shall mean withdrawal from active service having been granted a retirement allowance by the New Hampshire Retirement System (NHRS) and the employee actually drawing such a retirement allowance no later than 90 days after separation.
- **For full-time and part-time employees, 'Resignation'** shall be defined as voluntarily separating from employment with the City other than for the purposes of retirement.
- **Dismissal During the Probationary Period.** If at any time during the probationary period, the agency head determines that the services of a new or rehired employee have been unsatisfactory, the employee may be dismissed from his/her position without right of appeal or grievance. Written notice of such dismissal shall be given to the employee.

Upon receipt of a signed letter of intent to retire or resign from the service of the City of Rochester, a severance payment shall be issued as follows:

1. **Vacation:** Upon resignation or retirement, 100% of accumulated vacation after completion of the 6 months probationary period. If an employee resigns from the City during his probationary period, vacation pay-out will be pro-rated based upon his service time. The maximum payout shall not exceed one and one-half (1.5) times the annual accrual amount.

2. **Sick: 50% of accumulated sick time shall be paid if the employee has been granted a retirement allowance from the NHRS and is drawing such an allowance within 90 days of separation.**
3. **Sick: 50% of accumulated sick time shall be paid if the employee submits his/her resignation and has completed twenty (20) years of continuous service with the City of Rochester at the time of separation.**
4. **Personal: Upon resignation or retirement, 100% of accumulated personal time.**
5. **Earned Personal: Upon resignation or retirement, 100% of accumulated earned personal time.**
6. **Compensatory Time (Comp Time): Upon resignation or retirement, 100% of accumulated comp time.**
7. **Longevity: Upon resignation or retirement, pro-rated amount calculated from the employee's anniversary date of hire to the employee's date of separation.**
8. **The employee shall not receive any accrued benefits except compensatory time if the employee is dismissed during the probationary period.**

For purposes of determining sick and vacation benefits, the number of days for each shall be based upon the employee's accruals and his/her per diem rate at the time of separation.

In the event of termination by reason of death, said payment in the amount of 100% of accrued sick leave shall be made to his/her beneficiary.

Clothing: All items covered in Article sixteen shall be returned to the Department upon separation from employment.

ARTICLE XXIX: RETIREMENT

Membership in the State of New Hampshire Retirement System is mandatory for all full-time-permanent **regular** employees. The employee's share of cost for the retirement benefit shall be deducted from the employee's pay in accordance with amounts established by the New Hampshire Retirement System.

ARTICLE XXXI: REIMBURSEMENT ACCOUNTS

Reimbursement accounts offer a tax-effective way to pay certain healthcare and dependent care expenses. Two types of reimbursement accounts are available to all employees:

- ~~Healthcare reimbursement~~ **Flexible Spending Account** (~~Maximum annual contribution \$2,500~~ **Maximum equal to IRS annual contribution limit**)

- Dependent care reimbursement account (Maximum annual contribution – the lesser of the following:
 - \$5,000 if you are married and file joint tax returns, or if you are single,
 - \$2,500 if you are married and file separately, or
 - The lower of your and your spouse's income

These deductions shall be **pro-rated** for employees who are employed for less than a full calendar year.

APPENDIX A: COMPENSATION

Provide new salary tables – for Merit grade and steps

FY19 – 7/1/2019			
Grade	Position	Min	Max
1	Laborer	15.50	21.00
1	Meter Reader	15.50	21.00
1	Custodian	15.50	21.00
1	Maintenance Laborer	15.50	21.00
2	Light Equipment Operator	17.00	23.85
2	Meter Technician	17.00	23.85
3	Medium Equipment Operator	17.50	24.55
4	Pump Station Maintenance	18.00	25.75
4	Lead Grounds	18.00	25.75
4	Heavy Equipment Operator	18.00	25.75
5	WWT Maintenance Mechanic	19.50	26.45
5	Fleet Mechanic	19.50	26.45
5	Maintenance Technician	19.50	26.45
5	Plant Operator	19.50	26.45
6	Lead Mechanic	24.00	32.90
6	Lead Highway	24.00	32.90
6	Lead Water/Sewer	24.00	32.90
6	Lead Plant Operator	24.00	32.90

Provide new classification Grade/Title

AFSCME Merit Track

06/01/2023

FY24 with 2.75% between
steps 4% COLA

Beginning Hry Rate= 17.40 2,080.00
Percent between steps= 2.75%

GRADE	1	2	3	4	5	6	7	8	9	10	11	12
1	17.4000	17.8800	18.3800	18.8900	19.4200	19.9600	20.5200	21.0900	21.6800	22.2900	22.9100	23.5600
2	19.0800	19.6000	20.2200	20.8500	21.5100	22.1800	22.8800	23.6000	24.3400	25.1100	25.9000	26.7100
3	19.6500	20.1900	20.8200	21.4700	22.1300	22.8200	23.5200	24.2600	25.0200	25.8000	26.6000	27.4400
4	20.2100	20.7600	21.4400	22.1500	22.8800	23.6400	24.4200	25.2200	26.0500	26.9200	27.8000	28.7100
5	21.8900	22.5000	23.1300	23.7700	24.4400	25.1300	25.8300	26.5600	27.3100	28.0800	28.8700	29.6800
6	26.9500	27.6800	28.4900	29.3200	30.1700	31.0400	31.9500	32.8700	33.8300	34.8200	35.8300	36.8700

1	36,192.00	37,190.40	38,230.40	39,291.20	40,393.60	41,516.80	42,681.60	43,867.20	45,094.40	46,363.20	47,652.80	49,004.80
2	39,686.40	40,768.00	42,057.60	43,368.00	44,740.80	46,134.40	47,590.40	49,088.00	50,627.20	52,228.80	53,872.00	55,556.80
3	40,872.00	41,995.20	43,305.60	44,657.60	46,030.40	47,465.60	48,921.60	50,460.80	52,041.60	53,664.00	55,328.00	57,075.20
4	42,036.80	43,180.80	44,595.20	46,072.00	47,590.40	49,171.20	50,793.60	52,457.60	54,184.00	55,993.60	57,824.00	59,716.80
5	45,531.20	46,800.00	48,110.40	49,441.60	50,835.20	52,270.40	53,726.40	55,244.80	56,804.80	58,406.40	60,049.60	61,734.40
6	56,056.00	57,574.40	59,259.20	60,985.60	62,753.60	64,563.20	66,456.00	68,369.60	70,366.40	72,425.60	74,526.40	76,689.60

FY25 with 2.75% between
steps 3% COLA

Beginning Hry Rate= 17.75 2,080.00
Percent between steps= 2.75%

GRADE	1	2	3	4	5	6	7	8	9	10	11	12
1	17.9200	18.4100	18.9300	19.4500	20.0000	20.5600	21.1300	21.7200	22.3300	22.9600	23.6000	24.2600
2	19.6600	20.1900	20.8200	21.4800	22.1500	22.8500	23.5700	24.3100	25.0700	25.8600	26.6700	27.5100
3	20.2300	20.7900	21.4500	22.1100	22.8000	23.5000	24.2300	24.9900	25.7700	26.5800	27.4000	28.2600
4	20.8100	21.3800	22.0900	22.8200	23.5700	24.3500	25.1500	25.9800	26.8300	27.7200	28.6300	29.5800
5	22.5500	23.1700	23.8200	24.4900	25.1700	25.8800	26.6100	27.3600	28.1300	28.9200	29.7400	30.5700
6	27.7500	28.5200	29.3400	30.2000	31.0800	31.9800	32.9100	33.8600	34.8500	35.8600	36.9000	37.9700

1	37,273.60	38,292.80	39,374.40	40,456.00	41,600.00	42,764.80	43,950.40	45,177.60	46,446.40	47,756.80	49,088.00	50,460.80
2	40,892.80	41,995.20	43,305.60	44,678.40	46,072.00	47,528.00	49,025.60	50,564.80	52,145.60	53,788.80	55,473.60	57,220.80
3	42,078.40	43,243.20	44,616.00	45,988.80	47,424.00	48,880.00	50,398.40	51,979.20	53,601.60	55,286.40	56,992.00	58,780.80
4	43,284.80	44,470.40	45,947.20	47,465.60	49,025.60	50,648.00	52,312.00	54,038.40	55,806.40	57,657.60	59,550.40	61,526.40
5	46,904.00	48,193.60	49,545.60	50,939.20	52,353.60	53,830.40	55,348.80	56,908.80	58,510.40	60,153.60	61,859.20	63,585.60
6	57,720.00	59,321.60	61,027.20	62,816.00	64,646.40	66,518.40	68,452.80	70,428.80	72,488.00	74,588.80	76,752.00	78,977.60

FY26 with 2.75% between
steps 3% COLA

Beginning Hry Rate= 18.10 2,080.00
Percent between steps= 2.75%

GRADE	1	2	3	4	5	6	7	8	9	10	11	12
1	18.4600	18.9700	19.5000	20.0400	20.6000	21.1700	21.7700	22.3800	23.0000	23.6400	24.3100	24.9900
2	20.2500	20.8000	21.4500	22.1200	22.8200	23.5300	24.2700	25.0300	25.8200	26.6300	27.4700	28.3300
3	20.8400	21.4200	22.0900	22.7700	23.4800	24.2100	24.9600	25.7400	26.5500	27.3700	28.2200	29.1100
4	21.4400	22.0200	22.7500	23.5000	24.2700	25.0800	25.9100	26.7600	27.6400	28.5500	29.4900	30.4600
5	23.2300	23.8700	24.5400	25.2200	25.9300	26.6600	27.4100	28.1800	28.9700	29.7900	30.6300	31.4900
6	28.5900	29.3700	30.2200	31.1000	32.0100	32.9300	33.8900	34.8800	35.8900	36.9400	38.0100	39.1100

1	38,396.80	39,457.60	40,560.00	41,683.20	42,848.00	44,033.60	45,281.60	46,550.40	47,840.00	49,171.20	50,564.80	51,979.20
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2	42,120.00	43,264.00	44,616.00	46,009.60	47,465.60	48,942.40	50,481.60	52,062.40	53,705.60	55,390.40	57,137.60	58,926.40
3	43,347.20	44,553.60	45,947.20	47,361.60	48,838.40	50,356.80	51,916.80	53,539.20	55,224.00	56,929.60	58,697.60	60,548.80
4	44,595.20	45,801.60	47,320.00	48,880.00	50,481.60	52,166.40	53,892.80	55,660.80	57,491.20	59,384.00	61,339.20	63,356.80
5	48,318.40	49,649.60	51,043.20	52,457.60	53,934.40	55,452.80	57,012.80	58,614.40	60,257.60	61,963.20	63,710.40	65,499.20
6	59,467.20	61,089.60	62,857.60	64,688.00	66,580.80	68,494.40	70,491.20	72,550.40	74,651.20	76,835.20	79,060.80	81,348.80