

**City Council Workshop
August 17, 2021
Council Chambers
6:53 PM**

COUNCILORS PRESENT

Councilor Bogan
Councilor Fitzpatrick
Councilor Gray
Councilor Hailey
Councilor Hamann
Councilor Hunt-Hawkins
Councilor Hutchinson
Councilor Lachapelle
Councilor Walker
Mayor Lauterborn

OTHERS PRESENT

Blaine Cox, City Manager
Katie Ambrose, Deputy City Manager
Terence O'Rourke, City Attorney
Elizabeth Laurent, resident
Tom Kaczynski, Resident
human, resident
Steve Beaudoin, resident
Cassandra Borne, resident
Lauren McGinley, NH Harm Reduction
Mike Scala, Director of Econ Dev
Mark Sullivan, Deputy Finance Dir.
Kelly Walters, City Clerk

COUNCILORS ABSENT/EXCUSED

Councilor Abbott
Councilor Jean
Councilor Rice

Minutes

1. Call to Order

Mayor Lauterborn called the workshop meeting to order at 6:53 PM. Deputy City Clerk Cassie Givara had taken a silent roll call prior to the public hearing preceding the workshop. All Councilors were present except for Councilors Abbott, Jean, and Rice who were all excused.

2. Public Input

Elizabeth Laurent, resident, addressed the Council in regards to the needle exchange program and how the location and clientele affect local businesses and the community.

human, resident, spoke in opposition of the proposed use of poll pads in

Rochester elections. He questioned the cost, the security of the devices, as well as potential user error involved.

Tom Kaczynski, resident, addressed Council in regards to the City's funding of free comic book day and the farmer's marker. He also questioned the City's approval of 79-E applications.

Steve Beaudoin, resident, spoke about the state and federal laws in regards to memory card retention from local elections.

Cassandra Borne, resident, spoke to Council in regards to the issue of substance use disorder in Rochester.

Councilor Gray addressed several comments that had been made in public input in regards to the poll pads. He stated that current state law will not allow the poll pads to be used independently; there will be a paper checklist maintained alongside the poll pads as the official record. He clarified that the receipts produced by the poll pads would also be kept in compliance with State records retentions laws and he briefly addressed the question of data compatibility and the technical aspects of the poll pad.

3. Communications from the City Manager

No discussion.

4. Communications from the Mayor

Mayor Lauterborn outlined the process which Councilors needed to follow in order to complete the City Manager's annual evaluation. She stated that the deadline for the completed evaluations is by September 7 prior to the City Council meeting, following which there will be a non-public session to finalize the evaluation.

Councilor Hainey requested that City Manager Cox provide the original document which outlined his goals for the prior year.

5. Presentation: NH Harm Reduction Coalition- Lauren McGinley

Lauren McGinley, Executive Director of the NH Harm Reduction Coalition, presented to Council regarding the vision and mission of the NH Harm Reduction Coalition throughout the state and their needle exchange program. Ms. McGinley spoke about SSPs (syringe service programs) and gave data and statistics on these types of programs as well as a history of the programs and their efficacy in harm reduction.

Councilor Gray said that, in his role as a senator, he had been one of the two original sponsors of SB 234 in regards to needle exchange programs which Ms. McGinley had referenced earlier in the presentation. He spoke about the large cost savings that sterile needle accessibility offers in preventing diseases such as hepatitis. Councilor Gray stated that what is still lacking at this stage is the policing of the needle exchange sites to ensure the clientele is not misusing substances in these public spaces immediately following the service.

Councilor Bogan said that she has witnessed the needle exchange site on Mondays and Fridays, and the activity occurring in the area surrounding the site as well as around neighboring businesses has been detrimental. Councilor Bogan asked for a summary of what takes place at the needle exchange between the workers and the clients. Ms. McGinley outlined the process of the needle exchange and how it works for the participants from start to finish. She reported that the lieutenants from the Salvation Army had contacted her in regards to these issues occurring at the needle exchange. The Harm Reduction Coalition was then able to come up with solutions to the activities being seen at the site; providing visual and physical scans of the area to make sure participants are moving along, safely removing debris and garbage from the site, and checking in with those participants who are not moving along and offering services. Ms. McGinley stated that MARF (Mutual Aid Relief Fund) has decided to no longer co-locate with the needle exchange to discourage participants from staying in the area for extended periods of time.

Councilor Lachapelle asked what company was being used for the needle disposal. Ms. McGinley responded that they used SteriCycle for this service at a high cost, but there are very few options for this service available. She said that the State had originally awarded the, funds to pay for safe disposal, but those funds have since been rescinded. Ms. McGinley said that the cost for this service is now being generated through private fundraising.

It was clarified that the needle exchange is not performed on the property of the Salvation Army, but rather in front of their property. Councilor Hainey asked how many people took part in the service each day they operated. Ms. McGinley stated that she could get that information back to Council. She did report that from April 1st and June 30th, Hand Up Health Services received 75,000 used needles for disposal.

Councilor Hunt-Hawkins stated that she is the Care Coordinator who has been present at the needle exchange site and confirmed that staff has been coming early and staying later to ensure that participants do not loiter. She said that there could be 50 participants on a busy day, but sometimes they only get 20-30.

Councilor Gray cautioned that if the issues at the needed exchange site are not resolved, it could lead to complaints to the Salvation Army and increased criticism ultimately leading to the needle exchange needing to be relocated, which would not be ideal. Mayor Lauterborn asked if they program had looked at alternate locations in Rochester. Ms. McGinley said that they have looked at utilizing multiple other locations; however it is a hard sell, and no other locations have worked.

6. Update: 79-E Property Summary

Mike Scala, Director of Economic Development, gave an overview of the purpose of the RSA 79-E program and how it works for potential development in the City. He explained that the 79-E is a tax deferral of incremental assessed value for a specified amount of time bound by covenants to protect the public value of each project. He stated that Rochester adopted this program in 2008 and has successfully used the incentive to attract millions of dollars in development to the City. He summarized the process each application needs to follow prior to approval and situations in which applicants may be interested in the program.

Deputy Finance Director Sullivan presented an accounting of all of the current Rochester 79-E properties from their approval throughout their current stage, including the amount deferred, assessed values, construction costs, and date of the incentive's expiration. He spoke to Council regarding items which could be reviewed in order to maintain control in the process; suggesting an annual report come to Council reviewing all the 79-E properties and whether or not they are in compliance with how the public benefit is being met. He also suggested extending the covenants, which currently expire at the end of the deferral period. Mr. Sullivan detailed ways the duration of the deferral could be modified as well.

Councilor Walker asked how many residential units are contained in the three properties with their 79-E incentives expiring in 2022. Deputy Finance Director Sullivan stated there were 58 units in the properties reaching their term limits. Councilor Walker asked if all the residential units in these properties were currently rented out and cautioned against approval of more 79-E properties for residential units which could create a surplus of units which outweighs the demand. Director Scala stated that to his knowledge, all these current units are filled. He said that the City of Rochester is at a rate of less than 1% vacancy and there is a great deal of demand for residential units. He acknowledged that when the future property at the Friendly's site starts pre-leasing, they will have a better idea of demand, but anticipated it would still be high.

Councilor Gray referenced a comment during public input regarding the 79-E incentives and their impact on the schools. Councilor Gray said that he believed

that although this residential development would bring some school-aged children into the community, it would not be in high enough numbers to negate the losses already being experienced in the school system. He clarified that without specific enrollment data which would be provided by the school department, this question could not be adequately answered.

Councilor Hailey referenced the slide which showed that the property at 2-6 Main Street had been sold and questioned whether a property which was receiving this tax incentive could be sold. Chief Assessor Jonathan Rice stated that RSA 79-E IV does allow for the sale of a property receiving this incentive, and the 79-E will transfer to the new owner.

Councilor Hailey asked if the full assessed value is what these properties will be taxed on upon the expiration of the 79-E. Assessor Rice confirmed, but said that if any improvements are done outside of the covenants, that the improvement value can be added to the base. There can also be a revaluation done, and if the market has changed, the value can be increased. When the term expires, the deferred value will be added onto the assessed value.

Councilor Hunt-Hawkins asked if the \$1.6 million baseline value of these properties will be added into the general fund. Deputy Finance Director Sullivan confirmed that the baseline value will go into the General Fund.

Councilor Fitzpatrick referenced the slide which shows the deferred tax rate benefit. He clarified that this amount is assuming that the project is built. If there is no project, the cost is zero. It's .10 to .15 cents on the future value, which may be nonexistent if the project does not come into fruition.

7. Poll Pad lease proposal for November Municipal Election – City Clerk

Kelly Walters, City Clerk, spoke to Council about the proposed lease of LHS poll pads for the November municipal Election. She confirmed that, due to current State Law, the paper checklist would still be maintained along with the use of the electronic poll pads for voter check-in.

Ms. Walters said that the City had conducted a successful smaller-scale trial of a similar product at the 2017 Municipal election in just one of the City wards. The previous trial had been done using laptops. This current trial will be conducted using tablets and will be done City-Wide. She summarized the benefits of the poll pad usage; faster and more efficient, allowing voters to choose the shortest check-in line as opposed to a designated alphabetical line. It also provides a more accurate check-in process with less room for error. Ms. Walters explained that when a voter scanned their ID with the tablet, two "receipts" would be printed; the first for the voter to obtain their ballot. The second receipt would then be

brought back to the election officials maintaining the paper checklist so the official copy could be kept updated.

Ms .Walters stated that she had recently met with the City CIO as well as officials from LHS to discuss the technical and security aspects of the poll pads. She said that CIP Gonzalez had given then greenlight to continue with the process and felt it was safe and secure.

Ms Walters said that one of the main benefits of the poll pad system is the reporting features which would be able to give accurate, up-to-date voting and demographic data at any point throughout the day, as well as the time savings at the closing of the polls for the election officials who will not need to count the checklist page by page. She clarified that the receipts generated with the poll pad system will be maintained as required by State law.

Councilor Gray stated that another benefit to the poll pads would be the time saving with new voter registrations. Currently these Election Day registrations are entered manually over the course of weeks following an election. The poll pads will allow this information transfer to be done electronically. He also spoke about the reduction in human error when using the poll pads and how they make the check-ins more accurate.

Councilor Hamann spoke about his previous experience in ward 4 using the electronic poll books and vouched for the accuracy and efficiency of using this technology.

Councilor Walker questioned the security of these devices. He said that based on the information supplied by LHS, the poll pads do not use internet or a wired connection, but rather communicate with Bluetooth into a cloud. He expressed concern that, while hacking the devices would not change votes, if a political party were able to gain access to the voter check-ins as they occurred they may be able to take action to change the outcome. Ms. Walters reiterated that CIO Sonja Gonzalez had worked closely with the Clerk's office to determine the safety and security of the poll pads and was comfortable moving forward.

Councilor Lachapelle referenced information from the packet supplied by LHS which discussed the encryption of data and security used with the system. Councilor Walker stated that he would prefer unbiased information from a source beside the vendor of the product. Councilor Lachapelle asked if CIO Gonzalez could address Council in regards to the security of the poll pads. Ms. Walters suggested arranging a non-public session for the CIO to answer any questions and concerns.

Mayor Lauterborn indicated that the City Clerk was looking for a sense of Council on whether or not she could move forward with the poll pad lease for the

Municipal Election. She clarified that the cost for this poll pad lease was already budgeted; with \$4,000 coming from the City Clerk's election budget and the additional \$4,600 requested from contingency. She asked if there were any objections. Councilor Walker reiterated that he had concerns regarding security of the poll pad devices. There were no further objections. Councilor Gray spoke about the security of these devices and the thorough reviews which have been done at the State level.

8. Department Reports

No discussion.

9. Other

No discussion.

10. Adjournment

Mayor Lauterborn **ADJOURNED** the City Council Workshop at 8:40 PM.

Respectfully Submitted,

Cassie Givara
Deputy City Clerk