

**City Council Workshop
January 17, 2023
Council Chambers
6:34 PM**

COUNCILORS PRESENT

Councilor Beaudoin
Councilor Berlin
Councilor de Geofroy
Councilor Desrochers (remote)
Councilor Fontneau
Councilor Gilman
Councilor Gray
Councilor Hailey
Councilor Hamann
Councilor Larochelle
Councilor Malone
Deputy Mayor Lachapelle
Mayor Callaghan

OTHERS PRESENT

Blaine Cox, City Manager
Katie Ambrose, Deputy City Manager
Terence O'Rourke, City Attorney
Tom Kaczynski, resident
Susan Rice, resident
Joe Iannuzzi, Waste Management

Minutes

1. Call to Order

Mayor Callaghan called the City Council Workshop to order at 6:34 PM. He had announced at the Public Hearing preceding the Workshop that Councilor Desrochers was connecting to the meeting remotely via Microsoft Teams. He asked if it was reasonably impractical for her to attend the meeting in person. She confirmed that it was reasonably impractical to attend in person. Mayor Callaghan asked if Councilor Desrochers was connecting to the meeting alone. She stated that her minor daughter was with her in the room.

Deputy City Clerk Cassie Givara had taken a roll call attendance prior to the Public Hearing. All Councilors were present.

2. Public Input

Susan Rice, resident, questioned appointments of Councilors on subcommittees, non-public meeting procedures, and the proposed Code of Ethics coming out of the Codes & Ordinances Committee.

Tom Kaczynski, resident, inquired about the public input email submissions referenced at the public hearing. Mr. Kaczynski also spoke about the proposed zoning change covered at the public hearing.

3. Communications from the City Manager

City Manager Cox reported that the Willand Warming Center had been opened an

additional 13 times since his prior report. The rate of guests has ranges from 20 guests up to 39 guests in one night. The number of guests identifying themselves as Rochester residents have ranged from 9 – 19 in one evening. He stated that the total number of activations this season has been 29 and reminded Council that the budget for the warming center is based on 90 activations.

City Manager Cox reminded everyone that the Special Run-Off Election for District 8/Ward 4 between Chuck Grassie and Dave Walker will be held at McClelland School on Tuesday, February 21, 2023.

4. Communications from the Mayor

Mayor Callaghan praised the article that had been published in Fosters regarding development in Rochester. He added that there were several housing developments, such as Fownes Mill and the renovation of Northgate apartments, which had not been mentioned in the article. He also spoke about several large manufacturers who call Rochester home.

Mayor Callaghan read an announcement on behalf of Recreation and Arena Director Lauren Krans: Winter Fest will be taking place this Saturday, January 21 and 3:00 PM at the Rochester Common. This event will include Touch-a-Truck, s'mores, hot cocoa, and fun family activities. There will be a community movie starting at 4:00 PM. He stated that more information can be found regarding Winter Fest, as well as the upcoming family Valentines Dance, on the Recreation website.

5. Waste Management landfill update

Mayor Callaghan introduced Joe Iannuzzi and Steve Poggi of Waste Management. Mr. Iannuzzi gave an overview of Waste Management and its Turnkey Landfill in Rochester, which Waste Management acquired in 1983. Mr. Iannuzzi explained that Turnkey was the first lined landfill in the State of NH. He explained how the operations of the landfill are separated into phases. The landfill is permitted through 2034, and they are currently operating on Phase 14 transitioning into Phase 15 at the end of the current fiscal year. Mr. Iannuzzi gave an overview of the services and operations on the Waste Management campus, including the landfill, hauling division, the materials recycling facility, residential and commercial collection, as well as a leachate treatment facility to treat the liquid produced by the landfill. He spoke about the renewable energy projects initiated by Waste Management, including two power plants fueled by the gasses generated by the landfill. There is also a 12-mile gas pipeline to the University of New Hampshire, the gas from which fuels a great deal of the campus.

Mr. Iannuzzi spoke about the Host Community Agreement between Waste Management and the City of Rochester. The Host Community Fee which is paid quarterly installments to the City, totaled approximately \$4.2 million in 2022. He estimated that that total of benefits from services provided to the City in 2022 was around \$7 million dollars.

Councilor Lachapelle divulged that he works for Waste Management. He recommended that Councilors take a tour of the facility in warmer months to fully understand the scope of the operation and how everything works.

Councilor Gray spoke about Mr. Iannuzzi's statement about leachate and the potential

concern that they could contain PFAS. Councilor Gray stated that Waste Management uses a reverse osmosis system and therefore there is no PFAS contamination.

6. Opioid Abatement Committee update

Councilor Malone reported that the Committee had been meeting once monthly since September. The Committee consisted of Councilor Malone, Councilor Fontneau, and Councilor Berlin, with the presence and participation of multiple members of local service agencies in the opioid abatement or recovery arena and other community partners. Councilor Malone said that the Rochester Police Department, the Rochester School Department, SOS, Goodwin, and others had all been actively involved.

Councilor Malone stated that at this stage, the work being done by the Committee is data collection, gathering information from the police department, SOS, and other organizations to determine what is already being done in Rochester and determining which gaps need to be filled. She reported that there are already a good deal of services being offered in the area, and the Committee feels like the first step would be to educate and inform the people of Rochester on the funding that is available, how this money originated, and the types of projects and services on which the money can be spent. She clarified that the funding is not derived from taxpayer money and the money does need to be spent specifically in a manner that would benefit opioid abatement. Councilor Malone stated that she and Nicole Rodler, Rochester PD, had recorded a podcast regarding the opioid committee and the plan is to do continuous education pieces as their work moves forward.

Councilor Malone said there were initiatives being looked at currently at the high school on the prevention side of the opioid issue, and the Committee is investigating a needle disposal program similar to one started in Dover. At this point, the Committee has not spent any of the settlement money that the City has been given. She said that the Committee wants to ensure the money is being spent on programs and services that are most beneficial and not throwing money at services that already exist in the area or that are not helpful. She spoke about various community outreach ideas in the near future as well as an initiative with local high school students to determine what abatement would look like to them. She spoke about the importance of speaking to professionals who work with those in active recovery and substance use to get their insight on the needs and what would be most beneficial.

Councilor Lachapelle inquired if a vote would have to come back to the City Council prior to any money being expended. Councilor Malone confirmed that any expenditures would need to be approved by City Council.

City Manager Cox asked City Attorney Terence O'Rourke to give a summary of how Rochester ended up with this money. Attorney O'Rourke reported that in 2015 when he started with the City, there was already a multidistrict federal lawsuit underway against opioid drug manufacturers and distributors. He said that Rochester had suffered the effect of the opioid crisis disparately compared to rest of the State, and he went to Council at the time for approval to join this litigation. He clarified that the litigation is still unfolding and would be ongoing for quite some time. He said that as some of these cases are starting to be resolved, the settlement money is trickling in over time, and he anticipates there will be funding from additional settlements ongoing in the future.

Councilor de Geofroy asked how the City plans to track the efficacy of any programs or services initiated with the abatement funding. He spoke about the statistic in the most recent police department report showing an increase in overdoses and asked if there were other metrics that the City would be able to analyze to determine efficacy. Councilor Malone acknowledged that proving the effectiveness of certain programs could be tricky. She spoke about gathering data from SOS, CAP, the Police Department, NH Harm Reduction, and similar agencies from month to month to determine the trends. Councilor Malone said that one of the requirements of the settlement funding is that it be used on programs that are evidence-based and the City is required to report on projects that have been initiated with the funding. Councilor Berlin added that the syringe disposal project initiated in Dover will generate data, which will help Rochester determine if they would benefit from a similar project, and similar pilot programs in the area can guide the Committee towards programs and projects that will be beneficial and effective.

Councilor de Geofroy said that he had noticed a placard displayed at Potter's House designated the establishment as a "Recovery Friendly Workplace." He asked if there was a way the Committee could encourage other businesses and establishments to join this program and become "recovery friendly." Councilor Malone agreed that the Committee could look into how this program could be supported and promoted. Mayor Callaghan spoke about the Governor's Special Committee on Alcohol and Drugs and their reports showing the significant financial impact the opioid epidemic has had on the NH economy. He suggested that the Rochester opioid committee might be able to utilize some of the data from the Governor's Committee.

Councilor Desrochers said that sometimes the metrics for progress and efficacy can be hard to quantify. With harm reduction, if the harm does not occur due to available programs and services, there is not a way to know it did not occur and to then put this success into a statistic. She said this is something to keep in mind when looking at the metrics and success of programs.

7. Department Reports

There was no discussion on the Department Reports.

Councilor Gray asked to respond to comments made during public input regarding potential conflict of interest related to his involvement on the Rochester Finance Committee while also serving as Chair of the State Finance Committee; as it relates to the DHHS lease at the Community Center. Councilor Gray clarified that the DHHS contract would be negotiated between the City Manager and the State executive department (as opposed to the legislature) and the contract will then be available for public review. Councilor Gray stated that he did not have any part in this portion of the contract negotiation. He further explained the State budget process and how the State Finance Committee does not make decisions on a granular level out a \$13 billion budget. He clarified that if he felt there is a conflict or the appearance of a conflict, he would take appropriate action or recuse himself as he has done in the past.

8. Non-public/non-meeting

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

Councilor Lachapelle **MOVED** to enter into a non-public session at 7:12 PM under

RSA 91-A:3, II (d) for Land. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a 13 – 0 roll call vote with Councilors Lacrochelle, Gilman, Berlin, Beaudoin, de Geofroy, Fontneau, Hamann, Lachapelle, Malone, Desrochers, Gray, Hailey, and Mayor Callaghan all voting in favor.

Councilor Lachapelle **MOVED** to exit the non-public session at 7:50 PM. Councilor Malone seconded the motion. The **MOTION CARRIED** by a 13 – 0 roll call vote with Councilors de Geofroy, Beaudoin, Hamann, Desrochers, Lachapelle, Malone, Berlin, Hailey, Laroche, Gray, Gilman, Fontneau, and Mayor Callaghan all voting in favor.

Councilor Lachapelle **MOVED** to seal the minutes of the non-public session because disclosure would render the proposed action ineffective. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a 13 – 0 roll call vote with Councilors Hailey, Gray, Malone, Gilman, Fontneau, Laroche, de Geofroy, Desrochers, Berlin, Beaudoin, Hamann, Lachapelle, and Mayor Callaghan voting in favor.

9. Adjournment

Respectfully Submitted,

Cassie Givara
Deputy City Clerk