

**CITY COUNCIL  
ROCHESTER, NEW HAMPSHIRE  
Nonpublic Session Minutes**

**Date:** January 17, 2023

**Motion to enter Nonpublic Session**

Made by: Lachapelle

Seconded by: de Geofroy

**Specific Statutory Reason** cited as foundation for the nonpublic session:

\_\_\_\_ RSA 91-A:3, II (a) *The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, **unless** the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted.*

\_\_\_\_ RSA 91-A:3, II(b) *The hiring of any person as a public employee.*

\_\_\_\_ RSA 91-A:3, II(c) *Matters which, if discussed in public, would likely affect adversely the reputation of any person, **other than a member of this board**, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.*

X RSA 91-A:3, II(d) *Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are averse to those of the general community.*

\_\_\_\_ RSA 91-A:3, II(e) *Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against this board or any subdivision thereof, or against any member thereof because of his or her membership therein, until the claim or litigation has been fully adjudicated or otherwise settled*

\_\_\_\_ RSA 91-A:3, II(i) *Consideration of matters relating to the preparation for and the carrying out of emergency functions, including training to carry out such functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life.*

**Roll Call vote** to enter nonpublic session:

(circle replies below)

Mayor Callaghan      Yes      No      Not Present

Deputy Mayor Lachapelle      Yes      No      Not Present

Councilor Fontneau      Yes      No      Not Present

Councilor Gilman	Yes	No	Not Present
Councilor Beaudoin	Yes	No	Not Present
Councilor Hamann	Yes	No	Not Present
Councilor Malone	Yes	No	Not Present
Councilor Larochelle	Yes	No	Not Present
Councilor Desrochers	Yes	No	Not Present
Councilor Hailey	Yes	No	Not Present
Councilor Gray	Yes	No	Not Present
Councilor Berlin	Yes	No	Not Present
Councilor de Geofroy	Yes	No	Not Present

#### **Entered nonpublic session**

Time: 7:12 pm

#### **Other persons present during nonpublic session:**

City Manager Blaine Cox, Deputy City Manager Katie Ambrose, Superintendent Kyle Repucci, School Board Chairman Paul Lynch, School Department Attorney Jerry Grossman, School Facilities Director Dave Totty, School Board Vice Chair Sarah Harrington, School Board Member Matt Beaulieu, and City Attorney Terence O'Rourke

#### **Description of matters discussed, and final decisions made:**

##### Potential Sites for the City to Purchase for a new schoolhouse building

Superintendent Repucci provided an overview of where the School Department is on its need for property to construct a new schoolhouse building. The School Department has focused on 753 Salmon Falls Road.

Councilor Beaudoin provided personal insight on the proposed site and stated that it is extremely wet and mostly unusable without significant financial costs to the builder.

Councilor Fontineau provided personal insight on the proposed site from his time on the Planning Board and a project that did not go forward because it was cost prohibitive.

Mr. Totty provided information on the wetlands issue. He stated that experts hired by the School state that 9.2 contiguous acres of the parcel are dry, buildable upland.

Councilors expressed concern about bottleneck traffic on Salmon Falls Road.

Councilor Beaudoin asked about subdividing off the unusable portion. Attorney Grossman stated that the price the City is willing to pay for the property will factor in the nearly 30 acres of land that is not usable for School purposes.

Councilor Gray suggested that the City wait until April to get a better idea of the extent of the wetlands on the property.

Chairman Lynch and Superintendent Repucci stated that the School Department is on a constricted time schedule to obtain \$20 million in State funding for the project. The entire application must be submitted by May 1, 2023. School Department cannot submit the application without owning the parcel.

Attorney Grossman provided the Council with his intent as to the terms of any potential P & S, essentially most favorable to the City.

Vice Chair Harrington explained the amount of time and effort already expended by the School Department on this issue and the need to act quickly to obtain the funding.

Chair Lynch explained the criteria used by the School Department to evaluate the efficacy of all the potential sites and how it landed on 753 Salmon Falls Road.

Councilor Hamman asked how the School Department was going to avoid the mistakes made during the construction of the middle school. Chair Lynch explained that the School Department understood and admits to past mistakes and approached this process with those concerns at the forefront.

**Council Action:** Motion to Authorize School Department to negotiate a P & S up to \$400,000 by de Geofroy, Seconded by Desrochers

**Yea:** Lachapelle, Larochelle, de Geofroy, Berlin, Hainey Hamann, Desrochers

**Nay:** Fontineau, Gray, Gilman, Malone, Callaghan, Beaudoin

**Motion to leave nonpublic session and return to public session**

Made by: Lachapelle

Seconded by: Hainey

**Motion:** **PASSED** / DID NOT PASS (circle one)

**Public session reconvened**

Time: 7:50 pm

**Motion made to seal these minutes?** **Yes** No (circle one)

**Indefinitely?** **Yes** No (circle one)

If yes, motion made by: Lachapelle

Seconded by: Hamann

because it is determined that divulgence of this information likely would:

\_\_\_\_\_ Affect adversely the reputation of any person other than a member of this board.

X  Render a proposed action ineffective.

\_\_\_\_\_ Pertains to preparation or carrying out of actions regarding terrorism.

**Roll Call Vote to seal minutes:**

(2/3's vote of members present required)

Mayor Callaghan	<u>Yes</u>	No	Not Present
Deputy Mayor Lachapelle	<u>Yes</u>	No	Not Present
Councilor Fontineau	<u>Yes</u>	No	Not Present
Councilor Gilman	<u>Yes</u>	No	Not Present
Councilor Beaudoin	<u>Yes</u>	No	Not Present
Councilor Hamann	<u>Yes</u>	No	Not Present
Councilor Malone	<u>Yes</u>	No	Not Present
Councilor Larochelle	<u>Yes</u>	No	Not Present
Councilor Desrochers	<u>Yes</u>	No	Not Present
Councilor Hainey	<u>Yes</u>	No	Not Present
Councilor Gray	<u>Yes</u>	No	Not Present
Councilor Berlin	<u>Yes</u>	No	Not Present
Councilor de Geofroy	<u>Yes</u>	No	Not Present

**Motion:** PASSED / DID NOT PASS (circle one)

Time: 7:51 pm

**These minutes recorded by:** Terence O'Rourke, City Attorney